

Acts and Joint Resolutions

OF THE

GENERAL ASSEMBLY

OF THE

State of South Carolina

REGULAR SESSION OF 1964

Second Part
of Fifty-third Volume of Statutes at Large

(The Acts and Joint Resolutions of 1963
Constituted First Part)

PRINTED UNDER DIRECTION OF
LEWIE GRIFFITH MERRITT
CODE COMMISSIONER

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NOTICE

The following act was passed during the 1964 regular session of the General Assembly and is presently in the hands of the Governor:

(R1362, H2745) An Act To Authorize The Supervisor of Laurens County To Repair Certain Roads And Bridges And To Provide Funds Therefor.

The regular session adjourned *sine die* April 24, 1964.

In the parentheses to the left of the permanent numbers are two numbers of which this is an example: (R28, H1150). The first number is preceded by R in every instance, and the second number by either H or S. The R indicates the Ratification Number of the act; the H the House Number as a Bill and the S the Senate Number as a Bill.

Also published herein are rules and regulations issued pursuant to general and permanent laws and which have been filed in the office of the Secretary of State.

LEWIE GRIFFITH MERRITT,
Code Commissioner.

Columbia, S. C.,
July, 1964.

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813. AN ACT To Add Section 8-600.2 To The 1962 Code, Limiting The Number Of Votes That A Shareholder In Savings And Loan Associations Or Building And Loan Associations May Cast.—P. 1900.
814. AN ACT To Amend Section 46-95 Of The 1962 Code, As Amended, Relating To The Issuance Of Special License Plates For Amateur Radio Operators, So As To Further Provide Therefor.—P. 1901.
815. AN ACT To Amend Section 65-1232.4 Of The 1962 Code, As Amended, Relating To A Tax On Certain Motor Vehicles Using The Public Highways Of This State, So As To Increase The Fee On Such Vehicles Not Licensed In This State.—P. 1902.
816. AN ACT To Repeal Article 15 Of Chapter 8 Of Title 28 Of The 1962 Code, Relating To The Spartanburg County Game And Fish Commission.—P. 1903.
817. AN ACT To Amend Section 21-2674 Of The 1962 Code, Relating To Citizens' Meetings In The School Districts Of Florence County Concerning Budget And Tax Matters, So As To Limit The Voting At Such Meetings To Those Possessing The Last Issued Tax Receipt.—P. 1903.
818. AN ACT To Amend Act 408 Of 1963, Relating To The Turkey Hunting Season In Hampton County, So As To Extend The Season.—P. 1904.
819. AN ACT To Create The Board Of Assessment Control, The Office Of Tax Assessor, And The Board Of Assessment Appeals In Florence County; To Devolve

- The Duties Of The Florence County Board Of Equalization Upon The Board Of Assessment Appeals; To Amend Section 65-1803 Of The 1962 Code, Which Excludes Richland County From The Provisions Of Section 65-1802, Relating To Boards Of Assessors, So As To Also Exclude Florence County; To Amend Section 65-1862 Of The 1962 Code, Which Excludes Richland County From The Provisions Of Section 65-1861, Relating To Township Boards Of Assessors, So As To Also Exclude Florence County; To Provide Penalties For Violations; And To Repeal Section 65-1871 Of The 1962 Code, Relating To District Boards Of Equalization And The County Board Of Equalization Of Florence County.—P. 1904.
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821. AN ACT To Amend Section 14-400.35 Of The 1962 Code, Relating To The Powers Of The Anderson County Planning And Development Board, So As To Authorize The Board To Purchase, Lease And Sell Property.—P. 1909.
822. AN ACT To Amend Section 14-2681 Of The 1962 Code, Relating To The Board Of Rural Fire Control In Lee County, So As To Further Provide Therefor.—P. 1909.
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824. AN ACT To Amend Act No. 227 Of The Acts Of 1963, Relating To The Allendale Industrial Park, Water And Sewerage District, So As To Further Provide For Obligations Of The District.—P. 1913.
825. AN ACT To Repeal Article 14 Of Chapter 8 Of Title 28 Of The 1962 Code, Relating To The Pickens County Fish And Game Commission.—P. 1914.
826. AN ACT To Amend Section 14-3309 Of The 1962 Code, Relating To Days And Hours Of Work For Employees Of Spartanburg County, So As To Provide For Emergency Closings Of County Offices.—P. 1914.
827. AN ACT To Amend Sections 14-3452, 14-3481, 15-501 And 15-506 Of The 1962 Code, All Of Which Contain References To The Master Of Union County, So As To Delete Such References.—P. 1915.
828. AN ACT To Amend Section 14-400.534 Of The 1962 Code, Relating To The Powers Of The Sumter County Development Board, So As To Authorize The Board To Sell, Lease Or Purchase Property.—P. 1917.
829. AN ACT To Make Appropriations To Meet The Ordinary Expenses Of The State Government For The Fiscal Year Beginning July 1, 1964; To Regulate The Expenditure Of Funds Therefor; For Borrowing Money; Further Relating To The Operation Of The State Government During The Fiscal Year 1964-65; And To Enact As Permanent Laws Of The State Of South Carolina Measures To Amend Section 21-253, Code Of Laws Of South Carolina, 1962, Relating To The Number Of Pupils Required Per Teacher To Qualify For State-Aid; To Amend Section 21-258, Code Of Laws Of South Carolina, 1962, So As To Provide Increased Salaries For School Teachers; To Amend Section 65-740, Code Of Laws Of South Carolina, 1962, So As To Adjust The Allocation Of Beer And Wine Taxes To The Municipalities Of The State; To Make Available To Municipalities Of The State By The Tax Commission Records Relating To The Gross Receipts Of Merchants; To Amend Section 3, Of Act No. 455, Of The Acts Of 1961, So As To Increase The Bond Authorization Of Whitten Village; To Provide For A Reduction Of The General Fund Reserve To \$1,000,000.00 At The End Of The Fiscal Year 1964-65 According To The Terms Of Section 21-293, Code Of Laws Of 1962; To Amend Section 30-52, Code Of Laws 1962, Relating To The Compensation Of Members

- Of The General Assembly; To Provide For The Payment Of Rental By All Agencies Occupying The New State Office Building And To Provide For Amortization Of The Cost Of The Said Building And Other Property; To Amend Sections 15-103 And 15-212, Code Of Laws Of South Carolina, 1962, Relating To The Compensation Of The Chief And Associate Justices Of The Supreme Court, And Circuit Judges; To Amend Section 61-256.1, Code Of Laws Of South Carolina, 1962, So As To Exempt Benefits Of The Judicial Retirement System From State, County And Municipal Taxes; To Amend Section 58-57, Code Of Laws Of South Carolina, 1962, Relating To The Manner Of Payment Of Salaries Of Members Of The Public Service Commission; To Amend Section 72-51, Code Of Laws Of South Carolina, 1962, So As To Increase To Six The Number Of Members Of The South Carolina Industrial Commission; To Amend Section 22-104, Code Of Laws Of South Carolina, 1962, Relating To The Fixing Of Tuition Fees And Other Student Charges By The University Of South Carolina.—P. 1918.
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841. AN ACT To Create The McCormick County Development Board; To Provide For Its Membership, Powers And Duties; And To Repeal Sections 14-400.441 Through 14-400.446 Of The 1962 Code, Relating To The McCormick County Planning And Development Commission.—P. 2059.
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PART II

Local and Temporary

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RATIFICATION NUMBERS

With Act Numbers Assigned

Ratification No. (1963)	Act No.	Ratification No.	Act No.
620	684	738	720
672	685	739	721
(1964)		740	722
688	1152	741	1136
689	686	742	723
690	687	743	1104
691	688	744	1326
692	689	745	1327
693	690	746	724
694	691	747	725
695	692	748	726
696	693	749	1142
697	694	750	1094
698	695	751	727
699	1285	752	1300
700	1170	753	728
701	696	754	1105
702	1334	755	1106
703	1348	756	729
704	697	757	1371
705	698	758	730
706	1338	759	731
707	699	760	1328
708	1202	761	1107
709	1203	762	732
710	700	763	733
711	701	764	734
712	1162	765	735
713	702	766	736
714	703	767	737
715	704	768	738
716	705	769	1267
717	706	770	739
718	1325	771	740
719	707	772	741
720	1286	773	1143
721	708	774	742
722	1315	775	1197
723	709	776	743
724	710	777	1268
725	711	778	1149
726	712	779	744
727	713	780	1320
728	1086	781	1126
729	714	782	1360
730	715	783	745
731	716	784	746
732	717	785	747
733	1141	786	1221
734	718	787	748
735	1299	788	1222
736	1248	789	1372
737	719	790	1352
		791	749

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792	750	850	788
793	751	851	789
794	752	852	790
795	753	853	1312
796	754	854	791
797	755	855	792
798	1080	856	793
799	756	857	794
800	1097	858	795
801	757	859	1373
802	758	860	796
803	1316	861	797
804	1144	862	798
805	759	863	799
806	760	864	800
807	761	865	801
808	1189	866	802
809	1275	867	1108
810	762	868	803
811	763	869	1301
812	1204	870	804
813	1276	871	805
814	764	872	806
815	765	873	1167
816	766	874	807
817	767	875	808
818	768	876	809
819	769	877	810
820	770	878	811
821	771	879	812
822	1286	880	813
823	772	881	814
824	1232	882	815
825	773	883	1156
826	1171	884	816
827	1349	885	1302
828	774	886	1101
829	1165	887	817
830	1223	888	1287
831	775	889	818
832	776	890	819
833	777	891	1317
834	1095	892	1249
835	778	893	1250
836	1237	894	820
837	779	895	821
838	1145	896	822
839	780	897	823
840	781	898	1157
841	782	899	824
842	1166	900	825
843	783	901	826
844	784	902	827
845	1146	903	828
846	785	904	829
847	786	905	830
848	1238	906	1205
849	787	907	831
		908	832

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Ratification No.	Act No.	Ratification No.	Act No.
909	833	968	866
910	834	969	1240
911	835	970	867
912	1090	971	868
913	1109	972	869
914	836	973	870
915	1110	974	871
916	837	975	1374
917	838	976	1375
918	839	977	1339
919	840	978	872
920	1350	979	873
921	1329	980	874
922	1361	981	1363
923	1206	982	1279
924	1207	983	875
925	841	984	1313
926	1219	985	1111
927	1172	986	1112
928	1173	987	1269
929	1163	988	1174
930	1192	989	1270
931	842	990	1364
932	843	991	876
933	844	992	1215
934	845	993	1138
935	1367	994	877
936	1147	995	1321
937	1225	996	878
938	1258	997	879
939	846	998	880
940	847	999	881
941	848	1000	882
942	1125	1001	883
943	849	1002	884
944	850	1003	885
945	1226	1004	886
946	851	1005	1113
947	852	1006	1114
948	1091	1007	887
949	853	1008	888
950	854	1009	1209
951	1239	1010	1115
952	855	1011	1116
953	856	1012	889
954	1208	1013	1168
955	1330	1014	890
956	1137	1015	1251
957	857	1016	891
958	858	1017	1340
959	859	1018	1298
960	860	1019	892
961	1277	1020	1271
962	861	1021	893
963	862	1022	894
964	863	1023	1175
965	864	1024	895
966	1331	1025	1216
967	865	1026	896

Ratification No.	Act No.	Ratification No.	Act No.
1027	897	1087	934
1028	898	1088	1084
1029	1198	1089	1085
1030	899	1090	1290
1031	900	1091	935
1032	901	1092	1184
1033	902	1093	1291
1034	903	1094	1292
1035	1089	1095	1293
1036	904	1096	1294
1037	905	1097	1295
1038	906	1098	936
1039	1280	1099	937
1040	907	1100	938
1041	908	1101	939
1042	1224	1102	940
1043	909	1103	941
1044	910	1104	942
1045	1082	1105	943
1046	911	1106	944
1047	912	1107	945
1048	913	1108	946
1049	914	1109	947
1050	915	1110	948
1051	916	1111	949
1052	917	1112	950
1053	918	1113	1118
1054	1102	1114	1332
1055	919	1115	951
1056	920	1116	1318
1057	1303	1117	952
1058	1288	1118	953
1059	1131	1119	954
1060	1132	1120	955
1061	921	1121	956
1062	922	1122	1304
1063	1083	1123	957
1064	1096	1124	1233
1065	923	1125	1259
1066	924	1126	958
1067	925	1127	959
1068	926	1128	960
1069	927	1129	1092
1070	1289	1130	961
1071	1127	1131	1353
1072	1182	1132	962
1073	1183	1133	1307
1074	1153	1134	963
1075	1158	1135	1119
1076	1335	1136	964
1077	1264	1137	1103
1078	1217	1138	1357
1079	928	1139	965
1080	1376	1140	1176
1081	929	1141	966
1082	930	1142	967
1083	1117	1143	968
1084	931	1144	1252
1085	932	1145	969
1086	933	1146	1296

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Ratification No.	Act No.	Ratification No.	Act No.
1147	1120	1207	1079
1148	1121	1208	1003
1149	1154	1209	1159
1150	970	1210	1004
1151	1199	1211	1362
1152	1227	1212	1261
1153	971	1213	1005
1154	1354	1214	1006
1155	972	1215	1190
1156	973	1216	1007
1157	1319	1217	1243
1158	974	1218	1351
1159	1099	1219	1343
1160	975	1220	1234
1161	976	1221	1272
1162	977	1222	1008
1163	1341	1223	1009
1164	978	1224	1253
1165	979	1225	1010
1166	980	1226	1011
1167	981	1227	1012
1168	1260	1228	1254
1169	982	1229	1013
1170	983	1230	1014
1171	984	1231	1015
1172	985	1232	1016
1173	986	1233	1017
1174	1309	1234	1018
1175	1177	1235	1019
1176	987	1236	1020
1177	988	1237	1129
1178	989	1238	1133
1179	1310	1239	1021
1180	1322	1240	1022
1181	990	1241	1200
1182	1342	1242	1023
1183	991	1243	1024
1184	1241	1244	1025
1185	992	1245	1081
1186	993	1246	1281
1187	994	1247	1026
1188	1265	1248	1336
1189	1228	1249	1210
1190	1155	1250	1027
1191	995	1251	1193
1192	996	1252	1297
1193	1178	1253	1282
1194	1179	1254	1028
1195	1377	1255	1130
1196	997	1256	1029
1197	998	1257	1378
1198	1242	1258	1030
1199	999	1259	1031
1200	1181	1260	1211
1201	1128	1261	1266
1202	1000	1262	1379
1203	1001	1263	1032
1204	1100	1264	1033
1205	1002	1265	1034
1206	1229	1266	1212

Ratification No.	Act No.	Ratification No.	Act No.
1267	1035	1327	1063
1268	1036	1328	1088
1269	1122	1329	1064
1270	1342	1330	1065
1271	1355	1331	1380
1272	1037	1332	1185
1273	1038	1333	1344
1274	1344	1334	1333
1275	1139	1335	1066
1276	1150	1336	1186
1277	1039	1337	1187
1278	1356	1338	1191
1279	1040	1339	1067
1280	1134	1340	1256
1281	1087	1341	1306
1282	1323	1342	1161
1283	1041	1343	1337
1284	1042	1344	1068
1285	1195	1345	1069
1286	1235	1346	1123
1287	1201	1347	1365
1288	1043	1348	1070
1289	1044	1349	1071
1290	1045	1350	1244
1291	1046	1351	1245
1292	1047	1352	1246
1293	1048	1353	1273
1294	1049	1354	1188
1295	1050	1355	1072
1296	1098	1356	1073
1297	1051	1357	1169
1298	1052	1358	1074
1299	1053	1359	1358
1300	1054	1360	1274
1301	1230	1361	1262
1302	1255	1362	In hands of Governor
1303	1093	1363	1283
1304	1180	1364	1381
1305	1148	1365	1151
1306	1231	1366	1012
1307	1055	1367	1346
1308	1218	1368	1263
1309	1164	1369	1308
1310	1078	1370	1347
1311	1056	1371	1124
1312	1057	1372	1359
1313	1058	1373	1369
1314	1160	1374	1370
1315	1059	1375	1075
1316	1368	1376	1278
1317	1314	1377	1247
1318	1060	1378	1076
1319	1135	1379	1366
1320	1305	1380	1311
1321	1196	1381	1220
1322	1194	1382	1324
1323	1140	1383	1284
1324	1213	1384	1077
1325	1061	1385	1214
1326	1062	1386	1257

ACTS
AND
JOINT RESOLUTIONS
OF THE
General Assembly
OF THE
State of South Carolina

DONALD RUSSELL, Governor; ROBERT E. McNAIR, Lieutenant Governor and ex officio President of Senate; EDGAR A. BROWN, President pro tempore of Senate; SOLOMON BLATT, Speaker of House of Representatives; REX L. CARTER, speaker pro tempore of House of Representatives; L. O. THOMAS, Clerk of the Senate; INEZ WATSON, Clerk of House of Representatives.

Passed at the regular session, which was begun and held at the city of Columbia on the 14th day of January, A. D., 1964
and was adjourned sine die on the 24th day of
April, A. D., 1964

PART I
GENERAL AND PERMANENT LAWS

(R620, H1873 of 1963)

No. 684

An Act To Exempt Sumter County From The Provisions Of Sections 43-244, 43-246 And 43-247 Of The 1962 Code, Relating

To Bail In Magistrates' Courts In Charleston And Sumter Counties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sections 43-244, 43-246 and 43-247 not to apply to Sumter County.—The provisions of Sections 43-244, 43-246 and 43-247 of the 1962 Code shall not apply to Sumter County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of January, 1964.

(R672, H1943 of 1963)

No. 685**An Act To Provide For The Investigation Of Pupils In Lexington County Who Are Absent From School An Excessive Number Of Times And Institution Of Action Against Persons Responsible Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lexington County to investigate children excessively absent from school.—When information is furnished the visiting teacher or the judge or probation officer of the Juvenile and Domestic Relations Court of Lexington County that a pupil in any school in the county, who is physically and mentally able to attend school, has been absent an excessive number of times, the probation officer of the Juvenile and Domestic Relations Court of Lexington County shall investigate the reasons for such absences and when warranted shall institute necessary action against the person responsible for such child for contributing to its delinquency.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of January, 1964.

(R689, S515)

No. 686**An Act To Amend Act No. 681 Of The Acts And Joint Resolutions Of The General Assembly Of 1962 Creating The Rich-**

land-Lexington Airport District, So As To Permit The Investment Of Its Funds In Certain Savings And Loan Associations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 681 of 1962 amended—investment of funds.—Act No. 681 of 1962 is amended by adding to Section 5 of the act another subsection which shall read as follows :

“() Invest the funds or moneys in its possession, eligible for investment, in the shares of any federal savings and loan association or in the shares of any building and loan association organized and existing under the laws of this State when such shares are insured by the Federal Savings and Loan Insurance Corporation.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R690, H1066)

No. 687

An Act To Amend Section 45-4, Code Of Laws Of South Carolina, 1962, Relating To Selling Property Under Lien Without Notice To Purchaser, So As To Provide That When Property Under Lien Is Sold Without Notice To Purchaser And The Value Of Such Property Is Less Than Fifty Dollars, The Offense May Be Tried In The Magistrate's Court, And To Provide The Punishment In Such Cases, Courts Of General Sessions Having Concurrent Jurisdiction.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 45-4 amended—willful sale of property under lien—penalties.—Section 45-4, Code of Laws of South Carolina, 1962, is amended by adding a period after the word “duties” on line 9 and striking the following: “and when the value of such property does not exceed twenty dollars the punishment shall not exceed a fine of one hundred dollars or imprisonment for thirty days.” and inserting in lieu thereof the following: “When the value of such property is less than fifty dollars the offense may be triable in the magistrate's court and the punishment shall be not more than is permitted by law without presentment or indictment of the grand jury. When

the case is within the jurisdiction of the magistrate's court, the court of general sessions shall have concurrent jurisdiction with the magistrate's court.", so that when amended the section shall read as follows:

"Section 45-4. Any person who shall wilfully and knowingly sell and convey any real or personal property on which any lien exists without first giving notice of such lien to the purchaser of such real or personal property shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be imprisoned for a term of not less than ten days nor more than three years and be fined not less than ten dollars nor more than five thousand dollars, either or both in the discretion of the court. But the penalties enumerated in this section shall not apply to public officers in the discharge of their official duties. When the value of such property is less than fifty dollars the offense may be triable in the magistrate's court and the punishment shall be not more than is permitted by law without presentment or indictment of the grand jury. When the case is within the jurisdiction of the magistrate's court, the court of general sessions shall have concurrent jurisdiction with the magistrate's court."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R691, H1067)

No. 688

An Act To Amend Section 16-357, Code Of Laws Of South Carolina, 1962, Relating To Larceny Of Bicycles, So As To Provide That If The Value Of The Bicycle Is Less Than Fifty Dollars The Case Shall Be Triable In The Magistrate's Court And To Provide The Punishment In Such Cases.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16-357 amended—penalty for stealing bicycles.—Section 16-357, Code of Laws of South Carolina, 1962, is amended by striking out the following on lines 3, 4 and 5: "stolen does not exceed twenty dollars, the offender shall be punished by imprisonment for not more than thirty days or by a fine of not more than one hundred dollars." and inserting in lieu thereof the

following: "is less than fifty dollars the case shall be triable in the Magistrate's Court and the punishment shall be not more than is permitted by law without presentment or indictment by the grand jury.", so that when amended the section shall read as follows:

"Section 16-357. The larceny of any bicycle shall be punishable at the discretion of the court; *provided*, that when the value of the bicycle is less than fifty dollars the case shall be triable in the Magistrate's Court and the punishment shall be not more than is permitted by law without presentment or indictment by the grand jury."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R692, H1068)

No. 689

An Act To Amend Section 16-362, Code Of Laws Of South Carolina, 1962, Relating To Receiving Stolen Goods, So As To Provide That When Stolen Goods Have The Value Of Less Than Fifty Dollars The Offense Shall Be Triable In The Magistrate's Court And To Provide The Punishment In Such Cases.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16-362 amended—penalty for receiving stolen goods.—Section 16-362, Code of Laws of South Carolina, 1962, is amended by striking out the following on lines 9, 10 and 11: "less value than twenty dollars the punishment shall not exceed imprisonment in the county jail for thirty days or a fine of not more than one hundred dollars." and inserting in lieu thereof the following: "the value of less than fifty dollars the case shall be triable in the Magistrate's Court and the punishment shall be not more than is permitted by law without presentment or indictment of the grand jury.", so that when amended the section shall read as follows: "Section 16-362. In all cases whatever when any goods or chattels or other property of which larceny may be committed shall have been feloniously taken or stolen by any person every person who shall buy or receive any such goods or chattels or other property knowing the same to have been stolen shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprison-

ment, although the principal felon be not previously convicted and whether he is amenable to justice or not; *provided*, that when the chattel or other property stolen shall be of the value of less than fifty dollars the case shall be triable in the Magistrate's Court and the punishment shall be not more than is permitted by law without presentment or indictment of the grand jury."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R693, H1069)

No. 690

An Act To Amend Section 16-355, Code Of Laws Of South Carolina, 1962, Relating To Larceny Of Livestock, So As To Provide That If The Value Of The Property Stolen Is Less Than Fifty Dollars The Case Shall Be Triable In The Magistrate's Court And To Provide The Punishment In Such Cases.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16-355 amended—penalty for stealing livestock.—Section 16-355, Code of Laws of South Carolina, 1962, is amended by adding at the end of the first paragraph the following: "*Provided*, that if the value of such property stolen is less than fifty dollars the case shall be triable in the magistrate's court and the punishment shall be not more than is permitted by law without presentment or indictment by the grand jury.", so that when amended Section 16-355 shall read as follows:

"Section 16-355. Any person found guilty of the larceny of any horse, mule, cow, hog or any other livestock shall suffer imprisonment for a period of not less than three months nor more than ten years, and a fine of not more than five hundred dollars, either or both in the discretion of the court. *Provided*, that if the value of such property stolen is less than fifty dollars the case shall be triable in the magistrate's court and the punishment shall be not more than is permitted by law without presentment or indictment by the grand jury.

Any motor vehicle or other chattel used by or found in possession of any person engaged in the commission of the above crime shall be

subject to confiscation and shall be confiscated and sold under the provisions of Section 57-241."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R694, H1070)

No. 691

An Act To Amend Section 16-368, Code Of Laws Of South Carolina, 1962, Relating To Obtaining Property By False Pretense, So As To Provide That When The Value Of The Property Obtained Is Less Than Fifty Dollars The Offense May Be Tried In The Magistrate's Court And To Provide The Punishment In Such Cases.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16-368 amended—penalty for obtaining property under false pretenses.—Section 16-368, Code of Laws of South Carolina, 1962, is amended by striking out the following on lines 7, 8, and 9: "twenty dollars then the offense shall be punished by a fine not to exceed one hundred dollars or by imprisonment for a term not exceeding thirty days" and inserting in lieu thereof the following: "fifty dollars, then the offense may be tried in the magistrate's court. Punishment shall be not more than is permitted by law without presentment or indictment by the grand jury", so that when amended Section 16-368 shall read as follows:

"Section 16-368. Whoever shall falsely and deceitfully obtain or get into his hands or possession any money, goods, chattels, jewels or other things of any other person by color and means of any false token or counterfeit letter made in any other person's name shall, upon conviction thereof, suffer such imprisonment as the court may adjudge; *provided*, that when the money, goods, chattels and other things so obtained do not exceed in value fifty dollars, then the offense may be tried in the magistrate's court. Punishment shall be not more than is permitted by law without presentment or indictment by the grand jury."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R695, H1071)

No. 692

An Act To Amend Sections 16-381 And 16-382, Code Of Laws Of South Carolina, 1962, Relating To Wilful, Unlawful And Malicious Injury To Certain Personal And Real Property, So As To Provide That When The Damage Done To Such Property Is Less Than Fifty Dollars, The Case Shall Be Triable In The Magistrate's Court, And To Provide The Punishment In Such Cases.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 16-381 amended—penalty for willful injury of animals.—Section 16-381, Code of Laws of South Carolina, 1962, is amended by striking out the following on lines 7, 8, 9 and 10: “does not exceed twenty dollars the punishment shall be a fine of not more than one hundred dollars or imprisonment for a period of not more than thirty days”, and inserting in lieu thereof the following: “is less than fifty dollars the case shall be triable in the magistrate’s court and the punishment shall be not more than is permitted by law without presentment or indictment by the grand jury”, so that when amended Section 16-381 shall read as follows :

“Section 16-381. Whoever shall wilfully, unlawfully and maliciously cut, shoot, maim, wound or otherwise injure or destroy any horse, mule, neat cattle, hog, sheep, goat or any other kind, class, article or description of personal property, the goods and chattels of another, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined or imprisoned, at the discretion of the judge before whom the case shall be tried; *provided*, that when the injury or loss of the property affected by such act is less than fifty dollars the case shall be triable in the magistrate’s court and the punishment shall be not more than is permitted by law without presentment or indictment by the grand jury.”

SECTION 2. Section 16-382 amended—penalty for willful injury of real property.—Section 16-382, Code of Laws of South Carolina, 1962, is amended by striking out the following on lines 7, 8 and 9: “does not exceed twenty dollars the punishment shall be a fine of not more than one hundred dollars or imprisonment for a period of not more than thirty days”, and inserting in lieu thereof the following: “is less than fifty dollars the case shall be triable in the magistrate’s court and the punishment shall be not more than is permitted by law without presentment or indictment of the grand jury”, so that when amended Section 16-382 shall read as follows :

"Section 16-382. Whoever shall wilfully, unlawfully, and maliciously cut, mutilate, deface or otherwise injure any tree, house, outside fence or fixture of another or commit any other trespass upon real property in the possession of another shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined and imprisoned, at the discretion of the judge before whom the case shall be tried; *provided*, that when the damage to such property is less than fifty dollars the case shall be triable in the magistrate's court and the punishment shall be not more than is permitted by law without presentment or indictment of the grand jury."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R696, H1072)

No. 693

An Act To Amend Section 16-353, Code Of Laws Of South Carolina, 1962, Relating To Petit Larceny Of Certain Articles Of Personalty, Fixtures Or Parts Or Products Of Soil, So As To Provide That Larceny Of Such Articles, Fixtures Or Parts Or Products Of Soil Having A Value Of Less Than Fifty Dollars Shall Be Petit Larceny, A Misdemeanor Triable In The Magistrate's Court And To Provide The Punishment In Such Cases.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 16-353 amended—penalty for petit larceny.—Section 16-353, Code of Laws of South Carolina, 1962, is amended by striking out the following on lines 5, 6, 7 and 8: "below the value of twenty dollars, shall be a misdemeanor and considered a petit larceny and be punished by imprisonment in the county jail for not more than thirty days or by a fine of not more than one hundred dollars" and inserting in lieu thereof the following: "of the value of less than fifty dollars, shall be a misdemeanor and considered petit larceny, shall be triable in the magistrate's court and the punishment shall be not more than is permitted by law without presentment or indictment by the grand jury"; so that when amended Section 16-353 shall read as follows:

"Section 16-353. Any simple larceny of any article of goods, choses in action, bank bills, bills receivable, chattels, or other article of

personality of which by law larceny may be committed or of any such fixture or part or product of the soil as was severed from the soil by an unlawful act, of the value of less than fifty dollars, shall be a misdemeanor and considered petit larceny, shall be triable in the magistrate's court and the punishment shall be not more than is permitted by law without presentment or indictment by the grand jury."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R697, H1073)

No. 694

An Act To Amend Section 45-157, Code Of Laws Of South Carolina, 1962, Relating To The Unlawful Selling Of Personal Property On Which Any Mortgage Or Lien Exists, So As To Provide That Cases Where The Value Of Such Property Unlawfully Sold Is Less Than Fifty Dollars May Be Tried In The Magistrate's Court And To Provide The Punishment In Such Cases, With Courts Of General Sessions Having Concurrent Jurisdiction.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 45-157 amended—penalty for selling mortgaged personal property.—Section 45-157, Code of Laws of South Carolina, 1962, is amended by striking out the words "But this" on line 10 and inserting in lieu thereof the word "This" and by striking out the following on lines 13, 14 and 15: "When the value of such property does not exceed twenty dollars, the punishment shall not exceed a fine of one hundred dollars or imprisonment for thirty days." and inserting in lieu thereof the following: "When the value of such property is less than fifty dollars, the offense shall be triable in the Magistrate's Court and the punishment shall be not more than is permitted by law without presentment or indictment by the grand jury. When the case is within the jurisdiction of the Magistrate's Court, the Court of General Sessions shall have concurrent jurisdiction with the Magistrate's Court.", so that when amended the section shall read as follows:

"Section 45-157. Any person who shall sell or dispose of any personal property on which any mortgage or other lien exists, without

the written consent of the mortgagee or lienee or the owner or holder of such mortgage or lien, and shall fail to pay the debt secured by such lien within ten days after such sale or disposal or shall fail in such time to deposit the amount of such debt with the clerk of the court of common pleas for the county in which the mortgagee or lien debtor resides shall be guilty of a misdemeanor and, on conviction thereof, shall be imprisoned for a term not exceeding ten years or be fined not more than five hundred dollars, or both, in the discretion of the court. This section shall not apply when the sale is made without knowledge or notice of such mortgage or lien by the person so selling such property. When the value of such property is less than fifty dollars, the offense shall be triable in the Magistrate's Court and the punishment shall be not more than is permitted by law without presentment or indictment by the grand jury. When the case is within the jurisdiction of the Magistrate's Court, the Court of General Sessions shall have concurrent jurisdiction with the Magistrate's Court."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R698, H1447)

No. 695

An Act To Amend Section 45-65 of the 1962 Code, Relating To Methods Of Entering Satisfaction On Certain Written Instruments, So As To Delete A Certain Portion Of An Affidavit Required In Conjunction Therewith.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item 3 of Section 45-65 amended—satisfaction of lost mortgages.—Item 3 of Section 45-65 of the 1962 Code is amended by inserting the word "and" between the "," and the word "that" on line 9; by deleting on lines 10 and 11 the words "and that it has been lost or destroyed and after diligent search cannot be found, which" and by inserting in lieu thereof ". Such" so that when so amended the item shall read as follows:

"(3) In case the original mortgage, deed of trust, chattel mortgage or other instrument shall have been lost or destroyed it may be

satisfied, either by the owner and holder thereof in person or his personal representative or duly authorized attorney in fact as aforesaid, by an instrument in writing duly executed in the presence of two witnesses and probated and in addition the person executing the satisfaction shall make an affidavit that he or the person he represents is at the time of the satisfaction a bona fide owner and holder of the mortgage, deed of trust, chattel mortgage or other such instrument, and that it has not been assigned, hypothecated or otherwise disposed of. Such affidavit shall be recorded along with the satisfaction. The maker of any such affidavit which is false shall be guilty of perjury and punished as by law provided for the punishment of perjury."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R701, H1980)

No. 696

An Act To Amend Item (4) Of Section 15-286 Of The 1962 Code, Relating To Terms Of Court In Hampton County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item 4 of Section 15-286 amended—terms of court in Hampton County.—Item (4) of Section 15-286 of the 1962 Code is amended by striking on lines 8 and 9 the words "for not more than two weeks." and inserting in lieu thereof the following: "and continue until the Saturday before the second Monday in October." so that when so amended the item shall read as follows:

"(4) The courts of general sessions for Hampton County shall be held at Hampton on the third Monday in February, on the first Monday in June and on the second Monday in October, in each case for one week. The court of common pleas for the county shall be held at Hampton on the first Monday in February for two weeks, the second Monday in March for one week, immediately upon the conclusion of the business of the court of general sessions in June for the remainder of the week and on the fourth Monday in September and continue until the Saturday before the second Monday in October."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R704, H1991)

No. 697

An Act To Amend Section 47-631 Of The 1962 Code, Providing For Elections Of Mayor And Commissioners For The City Of Camden, So As To Change The Date Of Such Elections.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-631 amended—election of mayor and commissioners for City of Camden.—Section 47-631 of the 1962 Code is amended by striking on line three the word “May” and inserting in lieu thereof the word “April”. The section when amended shall read as follows :

“Section 47-631. In the city of Camden there shall be a mayor and four commissioners elected in general elections in said city to be held on the second Tuesday in April of each even-numbered year in which the term of office of the mayor or the term of office of the commissioners may expire.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R705, H1973)

No. 698

An Act To Amend Section 15-764 Of The 1962 Code, Relating To The Jurisdiction Of The Richland County Court, So As To Increase The Civil Jurisdiction.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (1) of Section 15-764 amended—jurisdiction of Richland County Court.—Item (1) of Section 15-764 of the 1962 Code is amended by striking the words “ten” on lines 4 and 5, and inserting in lieu thereof the words “fifteen”, so that when so amended the item shall read as follows :

“(1) The county court shall have concurrent jurisdiction with the court of common pleas in all civil cases and special proceedings, both at law and in equity, when the amount demanded in the complaint does not exceed fifteen thousand dollars or when the value of the property involved does not exceed fifteen thousand dollars and in all other civil cases and special proceedings, both at law and in equity, in which there is no money demand or in which the right involved cannot be monetarily measured. The court shall have concurrent jurisdiction with the circuit court to hear and determine all appeals in civil cases from judgments rendered by magistrates’ courts, and the proceedings on such appeal shall be the same as are provided for appeal from magistrates’ courts to the courts of common pleas. The court shall have concurrent jurisdiction with the court of common pleas of the county in actions relating to divorce from the bonds of matrimony.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R707, H1987)

No. 699

An Act To Authorize The Town Council Of The Town Of Ridgeway In Fairfield County To Increase The Millage On Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Ridgeway may levy annual tax.—Notwithstanding the provisions of Section 47-161 of the 1962 Code the Town Council of the Town of Ridgeway in Fairfield County may by ordinance levy and collect an annual tax on all real and personal property within the limits of the town not to exceed fifty mills.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R710, H2012)

No. 700

An Act To Amend Section 32-272 Of The 1962 Code, As Amended, Relating To The Greenwood County Board Of Health, So As To Provide That Appointments To The Board Shall Be Upon Direct Recommendation To The Governor By Various Governing Bodies Of Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 32-272 amended—appointments—terms—chairman—vacancies.—Section 32-272 of the 1962 Code, as amended by Act No. 761 of 1962, is further amended by striking on line two after the word “upon” the word “the” and inserting in lieu thereof the word “direct”; by striking on line three the words “of the county legislative delegation” and inserting in lieu thereof the words “in the following manner”; and by striking on line four the words “to the delegation”. The section when amended shall read as follows:

“Section 32-272. The county board of health shall be composed of seven members to be appointed by the Governor upon direct recommendation in the following manner. The mayor and city council of the city of Greenwood shall recommend two members of the board. The mayor and town council of the towns of Ninety-Six, Troy and Hodges shall each recommend one member and the board of trustees of School District No. 51 shall recommend one member who shall be a resident and qualified elector of Greenwood County. The superintendent of education of Greenwood County shall serve ex officio as a member of the board. All members shall be appointed for a term of two years and shall serve until their successors are duly appointed and qualified. At the first meeting of the board one of the members shall be elected as chairman. In case of the death or resignation of a member of the board prior to the expiration of the term of office for which such member has been appointed his successor shall be appointed as herein provided.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R711, H2015)

No. 701

An Act To Provide For A Voting Precinct At Lake Forest School In Greenville County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lake Forest School Precinct created.—In addition to the voting precincts provided for in Section 23-176 of the 1962 Code, there is created in Greenville County the Lake Forest School Precinct at Lake Forest School.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R713, S543)

No. 702

An Act To Authorize The County Board Of Commissioners Of Dillon County To Borrow Money And To Sell Real Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dillon County may borrow money.—The Board of County Commissioners of Dillon County is hereby authorized to borrow an amount not to exceed the funds appropriated for the fiscal year 1963-64 in the county appropriation act which have not been expended at the time of the borrowing. The money borrowed shall be used to meet obligations of the county appropriation act.

SECTION 2. Dillon County may sell property.—The board is authorized to sell real property owned by Dillon County upon the approval of a majority of the board and a majority of the county legislative delegation, including the Senator.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of February, 1964.

(R714, H1391)

No. 703**An Act To Regulate The Adoption Of Persons In This State And To Repeal Sections 10-2581 Through 10-2587, 15-1382 And 19-52.1 Of The 1962 Code, Relating To Adoption.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Definitions.—As used in this act, unless the context otherwise requires, “child” means any minor person, and “agency” means any person, authority or agency legally empowered to place children for adoption.

SECTION 2. Who may be adopted.—Any child present within this State at the time the petition for adoption is filed, irrespective of place of birth or place of residence, may be adopted.

SECTION 3. Persons eligible to adopt children.—The following persons are eligible to adopt a child :

- a. A husband and wife jointly, or either the husband or wife if the other spouse is a parent of the child.
- b. An unmarried person who is at least of legal age.
- c. A married person at least of legal age who is legally separated from the other spouse.
- d. The unmarried father or mother, regardless of his or her age, of his or her illegitimate child.

SECTION 4. Adoption proceedings.—Proceedings for adoption by bona fide residents of the State of South Carolina may be brought in the Court of Common Pleas in which the petitioner resides or in such court of the county having concurrent jurisdiction with the Court of Common Pleas or may be brought in such courts in the county in which the child resides. Courts may also order a change of venue as in other civil actions in this State.

Provided, under unusual or exceptional circumstances the Court in its discretion may permit nonresidents to adopt a child, in which case the proceedings shall be brought in the county where the child resides or where the agency having custody of the child is located.

SECTION 4A. Petition to be served on child prior to hearing.—Before any hearing shall be had on such a petition the child so sought to be adopted and whose name is sought to be changed shall be served with a copy of the petition and a guardian ad litem for such child shall be appointed as in other civil actions.

SECTION 5. Service of summons and petition.—The summons and petition in adoption proceedings shall be served in the manner prescribed by law for personal service of summons in civil actions, or, if service cannot be had in this manner, such service may be made by publication and mailing as provided by law for civil actions affecting real property or decree of divorce.

SECTION 6. Certain persons must consent before adoption may be decreed.—An adoption of a child may be decreed when there have been filed written consents to adoption executed by:

a. Both parents, if living, or the surviving parent regardless of age, of a legitimate child; *provided*, that consent shall not be required from one whose parental rights have been judicially terminated, or from one who has been made a party to the adoption proceeding and duly served; or

b. The mother alone regardless of age, if the child is illegitimate; or

c. The legal guardian of the person of the child if both parents are dead or if the rights of the parents have been terminated by judicial proceedings and such guardian has authority by order of the court appointing him to consent to the adoption; or

d. The executive head of an agency if both parents are dead or if the child has been relinquished for adoption to such agency or if the rights of the parents have been judicially terminated and custody of the child had been legally vested in such agency with authority to consent to adoption of the child; or

e. Any person having legal custody of a child by court order if the parental rights of the parents have been judicially terminated, but in such case the court having jurisdiction of the custody of the child must consent to adoption, and a certified copy of its order shall be attached to the petition.

SECTION 7. Withdrawal of consent.—Withdrawal of any consent, filed in connection with a petition for adoption hereunder, shall not be permitted except by order of the court after notice and opportunity to be heard is given to all parties concerned. If it finds that the best interest of the child will be furthered thereby, the court may issue a written order permitting the withdrawal of such consent. The entry of the interlocutory or final decree of adoption renders any consent irrevocable.

SECTION 8. Contents of petition.—a. A petition for adoption shall be filed in duplicate, verified by the petitioners, and shall specify:

1. The full names, ages and place of residence of the petitioners, and, if married, the place and date of the marriage.
2. When the petitioners acquired, or intend to acquire, custody of the child and from what person or agency.
3. The date and place of birth of the child, if known.
4. The name used for the child in the proceeding, and if a change in name is desired, the new name.
5. That it is the desire of the petitioners that the relationship of parent and child be established between them and the child.
6. A full description and statement of value of all property owned or possessed by the child.
7. Facts, if any, which excuse consent on the part of a parent to the adoption.

b. One copy of the petition shall be retained by the court. The other shall be sent to any agency or person participating in the adoption proceeding.

c. Any written consent required by this act may be attached to the petition, or may be filed, after the filing of the petition, with the consent of the court.

SECTION 9. Court to order investigation.—a. Upon the filing of a petition for adoption the court shall order an investigation to be made by the Children's Bureau of the State of South Carolina, or by a private or public welfare organization having as one of its main purposes the care and placement of children, or by a representative designated by the court and shall further order that a report of such investigation shall be filed with the court by the designated investigator within sixty days from the issuance of the order for investigation, unless time therefor is extended by the court. Such investigation may be dispensed with upon good cause therefor being presented to the Court. Such investigation shall include the conditions and antecedents of the child for the purpose of determining whether he is a proper subject for adoption; appropriate inquiry to determine whether the proposed home is a suitable one for the child; and any other circumstances and conditions which may have a bearing on the adoption and of which the court should have knowledge.

b. The court may order agencies or persons named in subsection (a) of this section, located in one or more counties, to make separate investigations on separate parts of the inquiry as may be appropriate.

c. The report of such investigation shall become a part of the files in the case and shall contain a definite recommendation for or against the proposed adoption and state reasons therefor.

Provided, that signer of such report and all persons participating in, conducting, or associated with the compiling, separation and filing of such report shall be available for examination and cross examination by any party to an adoption proceeding concerning the contents and recommendation contained in such report, in complete detail.

SECTION 10. When court may waive waiting period.—If the child is related by blood to one of the petitioners, or is a stepchild of the petitioner, or the court finds that the best interests of the child will be furthered thereby, the court, after examination of the report required in Section 9 in its discretion, may waive the entry of an interlocutory decree and the waiting period of six months, provided in Section 11 and grant a final decree of adoption if satisfied that the adoption is for the best interest of the child.

SECTION 11. Interlocutory and final decrees.—Upon examination of the report required in Section 9 and after hearing, the court may issue an interlocutory decree giving the care and custody of the child to the petitioners pending the further order of the court. Thereafter, the investigator shall observe the child in his adoptive home and report in writing to the court within six months on any circumstances or conditions which may have a bearing on the adoption. After six months from the date of the interlocutory decree, the petitioners may apply to the court for a final decree of adoption. The court shall thereupon set a time and place for final hearing. Notice of the time and date of the hearing shall be served on the department, agency or individual making the investigation required in Section 9. The investigator shall file with the court a written report of its findings and recommendations and certify that the required investigation has been made since the granting of the interlocutory decree. After hearing on the application, at which the petitioners and the child shall appear unless the presence of any party is waived by the court, the court may enter a final decree of adoption if satisfied that the adoption is for the best interests of the child.

SECTION 12. Upon final decree adopted child to be natural child.—a. After the final decree of adoption is entered, the relation of parent and child and all the rights, duties and other legal consequences of the natural relation of child and parent shall thereafter

exist between such adopted child and the person adopting such child and the kindred of the adoptive parents. From the date the final decree of adoption is entered, the adopted child shall be considered a natural child of the adopting parents for all inheritance purposes, both by and from such child, to the exclusion of the natural or blood parents or kin of such child. These rules of inheritance shall also apply to all the parties where one of the natural parents is united in bonds of matrimony to the other adopting parent.

b. After a final decree of adoption is entered, the natural parents of the adopted child, unless they are the adoptive parents, shall be relieved of all parental responsibilities for the child and have no rights over such adopted child.

SECTION 13. Hearings and files to be confidential.—a. Unless the court shall otherwise order, all hearings held in proceedings under this act shall be confidential and shall be held in closed court without admittance of any person other than interested parties and their counsel.

b. All papers and records pertaining to the adoption shall be sealed and kept as a permanent record of the court and withheld from inspection and filed in the office of the Clerk of Court of Common Pleas. No person shall have access to such records except on order of the judge of the court in which the decree of adoption was entered for good cause shown.

c. All files and records pertaining to the adoption proceedings in the Children's Bureau in the State of South Carolina, or in the Department of Public Welfare of the State of South Carolina, or in any authorized agency, shall be confidential and withheld from inspection except upon order of court for good cause shown.

SECTION 14. Clerk of court to furnish adoption certificates to State Registrar of Vital Statistics.—a. For each adoption, the clerk of court of the particular county shall prepare, within thirty days after the decree becomes final, a certificate of such decree on a form furnished by the State Registrar of Vital Statistics. Before the fifteenth day of each calendar month, the clerk shall forward to the State Registrar the certificates prepared by him during the preceding calendar month.

b. The State Registrar, upon receipt of a certified certificate of adoption, shall prepare a supplementary certificate of birth in the new name of the adopted person, free of any reference to or indication

of the fact that the child was adopted, and showing the adoptive parents as the real parents, except that amended certificates for an adoption of an adult shall display the words "By Adoption" on the face of the amended certificate. The State Registrar shall transmit certified certificates of adoption for persons born outside of the State of South Carolina to the State Registrar in the state of birth.

c. The State Registrar shall furnish a copy of the amended certificate to the county official responsible for filing copies of birth records, who shall be required to file the amended certificate in lieu of the copy of the original birth certificate.

SECTION 15. Appeals.—An appeal shall be allowed from any final order, judgment or decree rendered hereunder to the court by any person against whom any such order, judgment or decree may be made or who may be affected thereby in the manner provided for appeals from such court in other civil matters.

SECTION 16. Rights of parties when adoption was decreed by another state.—When the relationship of parent and child has been created by a decree of adoption of a court of any other state or nation, the rights and obligations of the parties as to matters within the jurisdiction of this State shall be determined by Section 12.

SECTION 17. Adoption of adults.—An adult person may be adopted by any other adult person with the consent of the person to be adopted or his guardian, and with the consent of the spouse, if any, of a sole adoptive parent, filed in writing with the court. The provisions of Sections 1 through 12 shall not apply to the adoption of an adult person. A petition therefor shall be filed with the Court of Common Pleas, or a court having concurrent jurisdiction, in the county where the adoptive parents reside. After a hearing on the petition, and after such investigation as the court deems advisable, if the court finds that it is to the best interests of the persons involved, a decree of adoption may be entered which shall have the legal consequences stated in Section 12.

SECTION 18. Sections 10-2581 through 10-2587, 15-1382 and 19-52.1 repealed.—Sections 10-2581 through 10-2587, 15-1382 and 19-52.1 of the 1962 Code are repealed.

SECTION 19. Time effective.—This act shall take effect upon approval by the Governor.

Provided, however, that the terms of this act shall not apply to

any case which has been commenced and pending upon the effective date of this act.

Approved the 3rd day of February, 1964.

(R715, H1567)

No. 704

An Act Providing For A Nonresident Fishing License For The Catching Of Shad In The Savannah River And Providing Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Nonresident fishing license required for catching Shad in Savannah River.—Notwithstanding any other provision of law to the contrary, all nonresidents using nets in the Savannah River to catch shad shall obtain an annual license from the South Carolina Wildlife Resources Department at a cost of one hundred dollars. The department shall issue with each license a tag which shall be attached to the net. The tag shall be numbered to correspond with the number of the license.

SECTION 2. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than twenty-five dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of February, 1964.

(R716, H1981)

No. 705

An Act To Amend Section 38-308 Of The 1962 Code, Relating To The Compensation Of Jurors In Circuit Courts, So As To Increase The Compensation Of Jurors In Beaufort County And To Provide For The Compensation Of Jurors In Magistrates' Courts In Beaufort County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (4) of Section 38-308 amended—Beaufort County deleted.—Item (4) of Section 38-308 of the 1962 Code is amended by deleting the word “Beaufort” on line 1. The item when amended shall read as follows :

“(4) In the counties of Allendale, Bamberg, Barnwell, Cherokee, Chester, Colleton, Dorchester, Fairfield, Jasper, Lexington, Oconee and Orangeburg, three dollars ; *provided*, that if any juror in Chester County is kept on duty after eleven o'clock at night, he shall be paid for an additional day ; *provided, further*, that in Orangeburg County each juror shall receive mileage for going to and returning from court for each day of attendance at court ;”

SECTION 2. Item (11) of Section 38-308 amended—Beaufort County added.—Item (11) of Section 38-308 of the 1962 Code is amended by striking the words “In Pickens County” on line 1 and inserting in lieu thereof “In Beaufort and Pickens Counties”. The item when amended shall read as follows :

“(11) In Beaufort and Pickens Counties, seven dollars and fifty cents, and if any juror serving upon any case is detained by such jury service after twelve o'clock midnight, it shall be considered that the jury shall have entered into a new day of jury service.”

SECTION 3. Compensation of jurors in magistrate's courts.—Each member of a magistrate's jury in Beaufort County shall be paid the sum of two dollars per day for actual attendance upon any trial.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of February, 1964.

(R717, H2002)

No. 706

An Act To Provide That The City Of Easley In Pickens County May Enter Into Contracts With Persons, Without The Corporate Limits Of The City, To Furnish Such Persons Fire Protection.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. City of Easley may furnish fire protection beyond city limits.—The City of Easley may, through the proper officials of the city, contract with any person, without the corporate limits of the city, to furnish such person fire protection when available and feasible, upon such terms, rates and charges as may be fixed by agreement between the parties, when in the judgment of the officials of the city it is for the best interest of the municipality to do so.

Provided, however, that the billing of persons, without the corporate limits of the City of Easley by the city or its water and light department, and the payment of the charge by such persons, constitutes the fixed agreement between the parties hereto. No such contract shall be for a period of longer than fifty years but any such contract may be renewed from time to time for periods not exceeding fifty years. These contracts may be terminated by either party, upon thirty days written notice to the city, by such persons without the corporate limits and by the city by advertising in a newspaper, published within the corporate limits or having general circulation in the area, for three successive weeks.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of February, 1964.

(R719, H2033)

No. 707

An Act To Establish Disposal Areas For The Dumping Of Trash In Anderson County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson County to establish disposal areas for trash.—The County Board of Commissioners of Anderson County shall establish and maintain not less than two disposal areas for the dumping of trash in each of the school districts of Anderson County. All such areas shall be maintained under such rules and regulations as may be established by the Anderson County Health Department.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of February, 1964.

(R721, H1242)

No. 708**An Act To Prohibit Certain Acts Detrimental To Certain Television Facilities And To Provide Penalties Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Penalties for damaging television facilities.—Any person who shall (1) willfully or maliciously break, injure or otherwise destroy or damage any of the posts, wires, towers or other materials or fixtures employed in the construction or use of any line of a television coaxial cable, or a microwave radio system or a community antenna television system or (2) wilfully or maliciously interfere with such structure so erected or (3) in any way attempt to lead from its uses or make use of the electrical signal or any portion thereof properly belonging to or in use or in readiness to be made use of for the purposes of using said electrical signal from any television coaxial cable company or microwave system or a community antenna television system or owner of such property shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding one thousand dollars or by imprisonment for not more than one year, or both, in the discretion of the court.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of February, 1964.

(R723, S354)

No. 709**An Act To Amend Section 28-536 Of The 1962 Code, As Amended, Relating To Shooting Preserves, So As To Provide An Open Season For Shooting Preserves In Game Zone No. 5 On All Types Of Pen-Raised Game.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-536 amended—season for pen-raised game in certain game zones.—Section 28-536 of the 1962 Code, as amended, is further amended by adding on line 1 between “No. 4,” and “No. 6” “No. 5,”. The section when amended shall read as follows :

"Section 28-536. In Game Zones No. 1, No. 2, No. 3, No. 4, No. 5, No. 6 and No. 7, within the boundaries of shooting preserves licensed by authority of this section, the open season on all types of pen-raised game shall be from October first of any year to April first of the following year. The provisions of this section are not intended to close any open season on any type of game when such open season occurs between April first and September thirtieth of any year."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R724, S356)

No. 710

An Act To Amend Section 8-52 Of The 1962 Code, Relating To The State Board Of Bank Control, So As To Further Provide For The Composition Of The Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 8-52 amended—State Board of Bank Control—composition of.—Section 8-52 of the 1962 Code is amended by striking the word "Two" on line 4 and inserting "Three" and by striking the comma following the word "Association" on line 6 and inserting the word "and" and by placing a period following the word "League" on line 7 and striking the remainder of the section so that when so amended the section shall read as follows:

"Section 8-52. The State Board of Bank Control shall be composed of five members, one of whom shall be the State Treasurer as an ex officio member, who shall be chairman. The remaining four members shall be appointed by the Governor. Three shall be engaged in commercial banking and recommended by the State Bankers' Association and one shall be engaged in the building and loan association business and recommended by the State Savings and Loan League."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R725, S411)

No. 711**An Act To Provide For The Mandatory Recount Of Votes In Certain Elections.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Votes to be recounted in certain elections.—

Whenever the difference between the number of votes received by a candidate who has been declared nominated for an office in a primary election or who has been declared elected to an office in a general election and the number of votes received by any other candidate or candidates not declared so nominated or elected shall be not more than one per cent of the total votes which were cast for such office therein, the committee or board charged by law with canvassing such votes shall order a recount of such votes to be made forthwith unless such other candidate or candidates shall waive a recount in writing.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R726, S412)

No. 712**An Act To Amend Section 23-264, Code Of Laws Of South Carolina, 1962, Providing For The Nomination Of Party Candidates By Convention, So As To Alter The Time For Making Such Nominations And To Amend Section 23-313, Code Of Laws Of South Carolina, 1962, Providing For The Nomination Of Candidates By Petition, So As To Alter The Time When Such Petitions May Be Presented.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 23-264 amended—nomination of candidates by convention.—Section 23-264 of the Code of 1962 is amended to read as follows :

“Section 23-264. In the event that a party shall nominate candidates by conventions, the State convention shall nominate the party's candidates for Governor, Lieutenant Governor and all other State-

wide officers and United States Senators, members of Congress and circuit solicitors, and the county conventions shall nominate the party's candidates for all county offices. No convention shall make nominations for candidates for offices unless the decision to use the convention method is reached by a three-fourths vote of the total membership of such convention. No convention shall make nominations for one or more offices at the convention and order primaries for other offices to be filled during the same election year. Conventions for political parties not nominating candidates in primaries may be called by State and county committees on other dates than those given in this Title for conventions after three weeks' published notice of such calls. If nominations are made by conventions, the nominations shall be certified to the Secretary of State for State offices and to the boards of election commissioners for county offices at least sixty days before the general election. *Provided*, that any political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the date and time fixed for the closing of primary entries."

SECTION 2. Section 23-313 amended—nomination of candidate by petition.—Section 23-313 of the Code of 1962 is amended to read as follows:

"Section 23-313. Other candidates for one or more of such offices shall be placed upon the ballot upon the filing with such officer, commissioners or other authority, as the case may be, not later than the date and time fixed for the closing of primary entries, of a petition or petitions nominating such candidates signed by registered electors as follows: For an office voted for by the registered electors residing in an area less than a county, other than a city or town having more than ten thousand inhabitants or a municipality having a population of less than one thousand inhabitants, one hundred or more registered electors in such area; for a municipal office voted for by the registered electors of a municipality having a population of less than one thousand inhabitants, fifty or more registered electors residing in such municipality; for an office voted for by the registered electors residing in a county, or in a city or town having more than ten thousand inhabitants, one thousand or more registered electors residing therein; for an office voted for by the registered electors residing in a judicial circuit or congressional district, a number of registered electors equal to the number of counties in such circuit or district multiplied by five hundred; and for an office voted

for by the registered electors residing in the State, ten thousand or more registered electors residing therein. No candidate who may be defeated in a party primary shall be placed on the general election ballot by petition or otherwise. The names of candidates as electors for President and Vice President of the United States shall be placed upon the ballot if a petition with the necessary number of names is filed at least sixty days prior to the general election.

Within ten days after the receipt of a petition, the original shall be filed with the Secretary of State, the clerks of court of the respective counties or the clerk of a municipality, and the filing shall constitute a public record."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R727, S521)

No. 713

An Act To Amend Section 10-425 Of The 1962 Code, Relating To Service Of Legal Processes On Insurance Companies, So As To Provide A Fee For Accepting And Forwarding Legal Processes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 10-425 amended—service of legal processes of insurance companies.—Section 10-425 of the 1962 Code is amended to read as follows :

"Section 10-425. The summons and any other legal process in any action or proceeding against it shall be served on an insurance company as defined in Section 37-2, including fraternal benefit associations, which shall have appointed the Chief Insurance Commissioner as its attorney pursuant to the provisions of Section 37-105, or which shall be subject to the provisions of Section 37-265, only by delivering two copies thereof to the Chief Insurance Commissioner as such attorney of such company with a fee of two dollars, and such service shall be deemed sufficient service upon such company. When legal process against any such company with the fee herein provided is served upon the Chief Insurance Commissioner, he shall forthwith forward by registered or certified mail one of the duplicate copies

prepaid directed toward the company at its home office or, in the case of a fraternal benefit association, to its secretary or corresponding officer at the head of the association.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R729, S531)

No. 714

An Act To Create The Dixie Water District Of Lancaster County And To Prescribe Its Area And Functions; To Provide For Its Governing Body, Its Terms, Powers And Duties; And To Provide Penalties For Certain Actions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dixie Water District of Lancaster County created.—There is hereby created a body corporate and politic of perpetual succession to be known as the Dixie Water District of Lancaster County (hereinafter called the district). It shall be the purpose and function of the district to acquire, construct and operate a waterworks system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select to provide a flow of water through pipes to the areas described in Section 2 of this act, and to such other domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as herein provided. To this end the district shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

SECTION 2. Service area.—The district shall include and be comprised of the following territory which shall be known as the service area:

Beginning at a point in the center of U. S. Highway 521 and the center of Bear Creek Bridge southeast of Lancaster, S. C.; thence proceeding northwest with the center line of U. S. Highway 521 to the intersection of the center lines of U. S. 521 and the Southern Railway; thence northwest with the center line of the Southern Railway to a point 200' southeast of the intersection of the center lines of the Southern Railway and Old Hampton Road; thence 200' east of and parallel to Old Hampton Road to a point 200' south of Ballard Street; thence 200' south of and parallel to Ballard Street to a point 200' east of Palmetto Street; thence 200' east of and parallel to Palmetto Street to a point 200' south of S. C. Highway 903; thence 200' south of and parallel to said Highway to a point 200' east of Nichols Road; thence 200' east of and parallel to Nichols Road to a point 500' north of S. C. Highway 903; thence 500' north of and parallel to said highway to a point 500' west of 29-70; thence 500' west of and parallel to road 29-70 to the intersection of 29-70 and S. C. Highway 9; thence 2000' perpendicular and north of S. C. Highway 9 and continuing parallel to said highway to a point 2000' west of road 29-36; thence 2000' west of and parallel to road 29-36 to the intersection of road 29-36 and road 29-180; thence proceeding eastward to a point 2000' north of the intersection of road 29-36 and road 29-180; thence 1 mile north of and parallel to S. C. Highway 9 to a point 1 mile west of S. C. Highway 522; thence 1 mile west of and parallel to S. C. Highway 522 northward to the center line of road 29-229; thence 2000' north of and perpendicular to road 29-229; thence running northeast and parallel to road 29-229 to the intersection of road 29-229 and S. C. Highway 522; thence north to a point 2000' north of road 29-228; thence 2000' north of and parallel to road 29-228 to the intersection of road 29-228 and 29-83; thence 2000' east of and running southwest and parallel to road 29-83 to a point 1 mile east of S. C. Highway 522; thence 1 mile east of and parallel to S. C. Highway 522 running South to a point 1 mile east of road 29-26; thence 1 mile east of and parallel to road 29-26 to a point 1 mile east of and perpendicular to the center line of road 29-26 at the center of the Baskins Creek Bridge; thence following this perpendicular line to the intersection of the center lines of 29-26 and Baskins Creek Bridge; thence northerly with center of Baskins Creek to a point 1000' north of road

29-47, a part of which is the boundary of Rural Communities Water District; thence proceeding northwest 1000' north of and parallel to road 29-47 to a point 500' east of S. C. Highway 522; thence northeast 500' east of and parallel to S. C. Highway 522 to a point 1000' north of road 29-224; thence 1000' north of and parallel to road 29-224 to the intersection of road 29-224 and 29-156; thence running with road 29-156 to the intersection of Bear Creek and road 29-156; thence with center of Bear Creek crossing road 29-36 to the intersection of Bear Creek and bridge on road 29-172; thence proceeding northwest 1000' east of and parallel to Donald Parker Road to a point 500' south of S. C. Highway 903; thence running southwest parallel to Highway 903 to the first east branch of Bear Creek, thence with the center of said east branch of Bear Creek to the high watermark of the Lancaster Water and Sewer District Reservoir; thence proceeding northerly, westerly and finally southeasterly with the high watermark of said reservoir to the center of Bear Creek at the dam of said reservoir, thence proceeding southwesterly with Bear Creek to the center of Highway 521 at the bridge, this being the point of beginning.

SECTION 3. District to be managed by a board of directors.—

The district shall be operated and managed by a board of directors to be known as the "Dixie Water District Board of Lancaster County" which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the Lancaster County Legislative Delegation, including the Senator. The delegation shall recommend only such persons as were nominated at a meeting of the residents of these areas and certified to the delegation by the chairman and secretary of the meeting. The meeting shall be advertised in a local newspaper for at least one week giving the time and place of the meeting. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualified. The initial terms of office shall begin as of the effective date of this act. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term. Immediately after appointment, the board shall meet and organize by

the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The offices of the secretary and treasurer may be combined in the discretion of the board.

SECTION 4. Powers and duties.—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limitation, the following:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for meetings.
- (5) To maintain a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.
- (8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.
- (9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.
- (10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.
- (11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.
- (12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations, or public bodies or agencies.
- (13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.
- (14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.
- (15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.
- (16) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such condi-

tions as the appropriate officials in charge of such rights-of-way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided*, that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor Lancaster County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon.

To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the Code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which consent shall be given.

(j) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems, within Lancaster County, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

SECTION 5. Rates not to be regulated.—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any state bureau, board, commission or like instrumentality or agency thereof.

SECTION 6. Exempt from taxes.—(1) Bonds, notes or other evidences of indebtedness issued pursuant to Section 4 (22) of this act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows:

“The principal of and interest on these bonds, notes, or other evidences of indebtedness are exempted from any and all State, county, municipal and other taxation whatsoever under the laws of the State of South Carolina.”

(2) All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 7. Fiscal year, audit and annual report.—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Lancaster County, and with the secretary to the Legislative Delegation of Lancaster County.

SECTION 8. Penalties for unlawful acts.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 9. Municipalities may purchase water.—The municipalities of Lancaster County and all public bodies and public agencies now or hereafter operating water distribution systems in Lancaster County shall be fully empowered to enter into contracts to buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

An Act To Create The Douglas Water District Of Lancaster County And To Prescribe Its Area And Functions; To Provide For Its Governing Body, Its Terms, Powers And Duties; And To Provide Penalties For Certain Actions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Douglas Water District of Lancaster County created.—There is hereby created a body corporate and politic of perpetual succession to be known as the Douglas Water District of Lancaster County (hereinafter called the district). It shall be the purpose and function of the district to acquire, construct and operate a water works system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select to provide a flow of water through pipes to the areas described in Section 2 of this act, and to such other domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as herein provided. To this end the district shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

SECTION 2. Service area.—The district shall include and be comprised of the following territory which shall be known as the service area :

Beginning at a point southwest of Lancaster, S. C., in the center of Rum Creek Bridge and center of S. C. Highway 200; thence running easterly with center of Rum Creek to a point 1500' east of 29-166; thence 1500' east of and parallel to Highway 29-166; thence 1500' east of and parallel to Highway 29-166 southwest with Sherwood Water District Boundary to Camp Creek Crossing Highway 29-71, thence leaving Sherwood Water District Boundary and running southwest with Camp Creek to a point 1500' northeast of Highway 29-216, thence proceeding northwest 1500' north of and parallel to Highway 29-216 to the point of intersection on S. C. Highway 200, thence due east 1000' from said point of intersection, thence proceeding northerly 1000' west of and parallel to S. C. Highway 200 to point of intersection with Highway 29-187, thence northerly 1000' west of and parallel to Highway 29-187 to Rum Creek, thence running easterly with center of Rum Creek to point of beginning.

SECTION 3. District to be managed by a board of directors.—

The district shall be operated and managed by a board of directors to be known as the Douglas Water District Board of Lancaster County which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the Lancaster County Legislative Delegation, including the Senator. The delegation shall recommend only such persons as were nominated at a meeting of the residents of these areas and certified to the delegation by the chairman and secretary of the meeting. The meeting shall be advertised in a local newspaper for at least one week giving the time and place of the meeting. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualified. The initial terms of office shall begin as of the effective date of this act. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term. Immediately after appointment, the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The offices of the secretary and treasurer may be combined in the discretion of the board.

SECTION 4. Powers and duties.—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limitation, the following:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for meetings.
- (5) To maintain a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.
- (8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.

(9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.

(10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.

(11) To prescribe rates and regulations under which such water shall be sold for industrial or domestic use.

(12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations, or public bodies or agencies.

(13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.

(14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.

(15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(16) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided*, that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor Lancaster County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the Code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which consent shall be given.

(j) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems, within Lancaster County, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing

within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

SECTION 5. Rates not to be regulated.—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any State bureau, board, commission or like instrumentality or agency thereof.

SECTION 6. Exempt from taxes.—(1) Bonds, notes or other evidences of indebtedness issued pursuant to Section 4 (22) of this act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows:

“The principal of and interest on this (bond, note, or other evidence of indebtedness) are exempted from any and all State, county, municipal and other taxation whatsoever under the laws of the State of South Carolina.”

(2) All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 7. Fiscal year, audit and annual report.—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Lancaster County, and with the Secretary to the Legislative Delegation of Lancaster County.

SECTION 8. Penalties for unlawful acts.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this

section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 9. Municipalities may purchase water.—The municipalities of Lancaster County and all public bodies and public agencies now or hereafter operating water distribution systems in Lancaster County shall be fully empowered to enter into contracts to buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R731, S533)

No. 716

An Act To Amend Section 1-11, Code Of Laws Of South Carolina, 1962, Providing For The Issuing Of Rules And Regulations, So As To Regulate Their Issue; And To Add A New Section To The Code Of 1962 Which Shall Be Section 1-12 And Which Shall Further Regulate The Issuing Of Rules And Regulations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1-11 amended—rules and regulations—requirements and filing of.—Section 1-11 of the Code of 1962 is amended by striking out the first sentence of the section and inserting in lieu thereof the following :

“Rules and regulations adopted under authority of a general and permanent law of the State shall become effective only after they have been (1) properly certified by the officer or agency promulgating them as to adoption, authority for issuance and the subject matter being regulatory, (2) have been certified by the Code Commissioner as to form, style, designation, and of such contents as should be promulgated under rules and regulations pursuant to law, so as to pro-

vide a uniform style and to eliminate unnecessary provisions and (3) filed in the office of the Secretary of State." so that when so amended Section 1-11 shall read as follows:

"Section 1-11. Rules and regulations adopted under authority of a general and permanent law of the State shall become effective only after they have been (1) properly certified by the officer or agency promulgating them as to adoption, authority for issuance and the subject matter being regulatory, (2) have been certified by the Code Commissioner as to form, style, designation, and of such contents as should be promulgated under rules and regulations pursuant to law, so as to provide a uniform style and to eliminate unnecessary provisions and (3) filed in the office of the Secretary of State. Rules and regulations submitted for filing must show the general and permanent laws under which they are issued and the Secretary of State shall not accept rules and regulations for filing hereunder if the authority for issuance of them is not stated immediately preceding such rules and regulations offered for filing. On receipt of such rules and regulations, he shall note on them the date they were so filed in his office and shall permit the public to inspect them; he shall index in a suitable book all rules and regulations heretofore filed in his office and rules and regulations hereafter accepted for filing so as to show the issuing officer or agency, the authority for the issuance, the date of each issuance filed in his office and the numbers thereof. The officer or agency adopting such rules and regulations shall, at the same time a certified copy of such rules and regulations is filed in the office of the Secretary of State, send two copies of such certified copy to the Code Commissioner. Such rules and regulations when filed shall be effective until they are amended or repealed by the officer or agency filing them or by acts of the General Assembly."

SECTION 2. Section 1-12 added to Code—certain administrative acts not to be considered as rules and regulations.—The Code of Laws of South Carolina, 1962, is further amended by adding thereto a new section which shall be Section 1-12 and shall read as follows:

"Section 1-12. Provisions not regulatory in nature shall not be filed by the Secretary of State under the provisions of this article. Quarantines, plans, opinions, and similar administrative acts are not rules and regulations within the provisions of this article and the Code Commissioner and Secretary of State in administering this

article as provided herein shall not consider such as rules and regulations.”

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R732, S530)

No. 717

An Act To Create The Sherwood Water District Of Lancaster County And To Prescribe Its Area And Functions; To Provide For Its Governing Body, Its Terms, Powers And Duties; And To Provide Penalties For Certain Actions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sherwood Water District of Lancaster County created.—There is hereby created a body corporate and politic of perpetual succession to be known as the Sherwood Water District of Lancaster County (hereinafter called the district). It shall be the purpose and function of the district to acquire, construct and operate a water works system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select to provide a flow of water through pipes to the areas described in Section 2 of this act, and to such other domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as herein provided. To this end the district shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

SECTION 2. Service area.—The district shall include and be comprised of the following territory which shall be known as the service area :

Beginning at a point on the center-line of Highway 29-158 1000' northwest of the intersection with Highway 29-38, thence easterly 1000' north of and parallel to Highway 29-38 to west branch of Turkey Quarter Creek, thence south-east with west branch of Turkey Quarter Creek and Rural Communities Water District Boundary to the head of said branch, thence in a straight line south-east approximately 2.6 miles to a point on center of Highway 29-617 where Camp Creek crosses said Highway, thence leaving Rural Communities Water District Boundary and proceeding westerly with Camp Creek, crossing Highways 29-245, 29-19, and 29-179 respectively to a point in Camp Creek 1500' south-east of Highway 29-166, thence in a northerly direction 1500' east of and parallel to Highway 29-166 crossing Highway 29-71, to Rum Creek, thence easterly with center of Rum Creek crossing Highway 29-163 and Melton-Bowers Rd. to a point of Rum Creek intersection with Threatt's Branch, thence in a northerly direction with center of Threatt's Branch to a point on center-line of dam of Eulease Threatt's pond, thence S 72-35 E 445' to a point on center-line of 29-19, thence N 87-04 E 363', thence N 69-52 E 139.2', thence N 31-17 E 112.6', thence N 74-31 E 115.2', thence N 83-50 E 171', thence N 25-34 E 397.9', thence N 31-15 E 438.8', thence N 38-30 W 220' with center-line of 29-158 to the intersection of the center-line of 29-225 and the center-line of 29-158, thence S 38-30 E with center-line of 29-158 to point of beginning.

SECTION 3. District to be managed by a board of directors.—

The district shall be operated and managed by a board of directors to be known as the Sherwood Water District Board of Lancaster County which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the Lancaster County Legislative Delegation, including the Senator. The delegation shall recommend only such persons as were nominated at a meeting of the residents of these areas and certified to the delegation by the chairman and secretary of the meeting. The meeting shall be advertised in a local newspaper for at least one week giving the time and place of the meeting. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All ap-

pointees shall hold office until their successors shall have been appointed and qualified. The initial terms of office shall begin as of the effective date of this act. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term. Immediately after appointment, the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The offices of the secretary and treasurer may be combined in the discretion of the board.

SECTION 4. Powers and duties.—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limitation, the following:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for meetings.
- (5) To maintain a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.
- (8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.
- (9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.
- (10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.
- (11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.
- (12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations, or public bodies or agencies.
- (13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.
- (14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.

(15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(16) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and Sections 33-121 through 33-148 of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided*, that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowd may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of

the State of South Carolina, nor Lancaster County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and Sections 59-651 through 59-682 of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the Code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which consent shall be given.

(j) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems, within Lancaster County, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

SECTION 5. Rates not to be regulated.—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any state bureau, board, commission or like instrumentality or agency thereof.

SECTION 6. Exempt from taxes.—(1) Bonds, notes or other evidences of indebtedness issued pursuant to Section 4 (22) of this act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows:

“The principal of and interest on this (bond, note, or other evidence of indebtedness) are exempted from any and all State, county, municipal and other taxation whatsoever under the laws of the State of South Carolina.”

(2) All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 7. Fiscal year, audit and annual report.—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Lancaster County, and with the secretary to the Legislative Delegation of Lancaster County.

SECTION 8. Penalties for unlawful acts.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 9. Municipalities may purchase water.—The municipalities of Lancaster County and all public bodies and public agencies now or hereafter operating water distribution systems in Lancaster County shall be fully empowered to enter into contracts to buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R734, H2009)

No. 718

An Act To Amend Section 23-175 Of The 1962 Code, As Amended, Which Provides Voting Precincts In Georgetown County, So As To Add A New Precinct To Be Designated As Myersville.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 23-175 amended—Georgetwon County voting precincts designated.—Section 23-175 of the 1962 Code is amended by adding between “Byrd’s Store;” and “Pawley’s Island” the following: “Myersville”; The section when amended shall read as follows:

“Section 23-175. In Georgetown County there shall be the following voting precincts: Andrews; Bethel; Brown’s Ferry; Carver’s Bay at or near Dave Bass’ place; Cedar Creek; Choppe; Georgetown No. 1 at or near the Fire Hall; Georgetown No. 2 at or near Stewart’s Store, 2112 Taylor St.; Georgetown No. 3 at or near West Chevrolet Used Car Lot; Georgetown No. 4 at or near the National Guard Armory; Georgetown No. 5 Maryville at or near Wards Store; Georgetown No. 6 at or near the Ball Park; Greer’s at or near Young’s Cross Roads; Murrell’s Inlet at or near Edward D. Byrd’s Store; Myersville; Pawley’s Island at or near the Lachicotte Mercantile Company Store; Pennyroyal; Plantersville; Pleasant Hill at or near Pleasant Hill school house; Potato Bed Ferry; Sampit at or near Bourne’s old store; Santee; Winyah Bay, at or near Belle Isle Gardens; Snow Mill; Spring Gulley at or near Edgar C. Morris Filling Station; Folly Grove, Kensington at or near Kensington Lumber Company and Black River at or near Temus Howard’s Store.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R737, H2060)

No. 719

An Act To Permit The Creation Of Rural Communities Water Districts In Fairfield County And To Provide For Their Areas And Functions; To Provide For Their Governing Bodies, Their

Terms, Powers And Duties; To Preserve The Rights Of Existing Districts And To Provide Penalties For Certain Actions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Rural Communities Water Districts may be created in Fairfield County.—There may be created bodies corporate and politic of perpetual succession to be known as the Rural Communities Water Districts of Fairfield County (hereinafter called the districts). It shall be the purpose and function of the districts to acquire, construct and operate a water works system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the districts shall select, to provide a flow of water through pipes for domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as may be created. To this end the districts shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

SECTION 2. Service area.—Any district created under the provisions of this act shall be comprised of the territory defined by the resident electors at the meeting provided for in Section 3 of this act. A full description of the area shall be filed in the office of the Clerk of Court, the office of the Secretary of State and the office of the Code Commissioner.

SECTION 3. District to be managed by a board of directors.—Each district shall be operated and managed by a board of directors to be known as the “..... Rural Community Water District Board of Fairfield County” which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the Fairfield County Legislative Delegation, including the Senator. The delegation shall recommend only such persons as were nominated at a meeting of the resi-

dents of these areas and certified to the delegation by the chairman and secretary of the meeting. The meeting shall be advertised in a local newspaper for at least one week giving the time and place of the meeting. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualified. The initial terms of office shall begin as of the effective date of this act. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term. Immediately after appointment, the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The offices of the secretary and treasurer may be combined in the discretion of the board.

SECTION 4. Powers and duties.—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limiting the following:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for meetings.
- (5) To maintain a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.
- (8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.
- (9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.
- (10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.
- (11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.
- (12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations or public bodies or agencies.

(13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.

(14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.

(15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(16) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided*, that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the

period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor Fairfield County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the Code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjusted in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(j) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems, within Fairfield County, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

SECTION 5. Rates not to be regulated.—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any state bureau, board, commission, or like instrumentality or agency thereof.

SECTION 6. Exempt from taxes.—(1) Bonds, notes or other evidence of indebtedness issued pursuant to Section 4 (22) of this act and interest payable thereon are hereby exempted from any and

all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows: "The principal of and interest on this bond, note or other evidence of indebtedness) are exempted from any and all State, county, and municipal and other taxation whatsoever under the laws of the State of South Carolina."

(2) All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 7. Fiscal year, audit and annual report.—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Fairfield County, the Clerk of Court, and with the Secretary to the Legislative Delegation of Fairfield County.

SECTION 8. Penalties for unlawful acts.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 9. Municipalities may purchase water.—The municipalities of Fairfield County and all public bodies and public agencies now or hereafter operating water distribution systems in Fairfield County shall be fully empowered to enter into contracts to buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

SECTION 10. Not to affect present districts.—All rights, powers and duties of any district now existing in Fairfield County are hereby expressly reserved.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R738, H2061)

No. 720

An Act To Create The Board Of Tax Appeals For Dillon County; To Provide For Its Membership; To Prescribe Their Terms Of Office, Powers And Duties; And To Provide For Appeals From The Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Board of tax appeals created in Dillon County.—There is created in Dillon County a board of tax appeals, which shall consist of nine residents of the county, who shall be appointed by the Governor on nomination of a majority of the county legislative delegation. They shall hold office for a term of two years and until their successors shall have been appointed and qualified. Any vacancy however occurring shall be filled for the unexpired term in the manner of an original appointment. They shall organize by electing one of their number chairman and another secretary.

SECTION 2. Appeals to board.—Any property owner or his agent aggrieved by any decision or action by the board of assessors shall have the right to appeal to the board of tax appeals after giving ten days written notice. The notice shall specify the grounds of the appeal. The board shall then fix a time and place for the hearing and shall give such notice to the appellant and to the board of assessors.

SECTION 3. Appeals to Tax Commission.—All appeals from the board of tax appeals shall be to the South Carolina Tax Commission. Written notice shall be filed, within ten days after notice of the decision of the board, with the South Carolina Tax Commission and with the board of tax appeals. The notice shall set forth the grounds for the appeal. Upon the hearing of the appeal, the South Carolina

Tax Commission may either increase, decrease or affirm the action of the board of appeals.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R739, H2063)

No. 721

An Act To Provide For The Investigation Of Pupils In Anderson County Who Are Absent From School An Excessive Number Of Times And Institution Of Action Against Persons Responsible Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson County to investigate children excessively absent from school.—When information is furnished the visiting teacher or the county judge or the youth guidance counselor's office of Anderson County that a pupil in any school in the county, who is physically and mentally able to attend school, has been absent an excessive number of times, the youth guidance counselor's office of Anderson County shall investigate the reasons for such absences and when warranted shall institute necessary action against the person responsible for such child for contributing to its delinquency.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R740, S410)

No. 722

An Act To Amend Section 23-373 Of The 1962 Code, Relating To Notice Of Candidacy And Pledge Of Candidates For Nomination By A Political Party, So As To Prevent The Candidacy Of Unsuccessful Candidates In The General Election For Which Nomination Was Sought.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 23-373 amended—notice and pledge of candidates—unsuccessful candidates not to run in general election.—Section 23-373 of the 1962 Code is amended by adding at the end thereof the following:

“In the event that a person who was defeated as a candidate for nomination to an office in a party’s primary election shall thereafter offer or campaign as a candidate against any nominee for election to any office in the ensuing general election, the State Chairman of the party which held such primary (if the office involved is one voted for in the general election by the electors of more than one county), or the County Chairman of the party which held such primary (in the case of all other offices), shall forthwith institute an action in a court of competent jurisdiction for an order enjoining such person from so offering or campaigning in the general election, and the court is hereby empowered upon proof of such facts to issue such order.”

Section 23-373 of the 1962 Code is further amended by striking out the period after the word “primary” and adding thereto the words “and I authorize the issuance of an injunction upon ex parte application by the party chairman, as provided by law, should I violate this pledge by offering or campaigning for election to this office in the ensuing general election.” The section, when so amended, shall read as follows:

“Section 23-373. Every candidate for selection as the nominee of any political party for any State office, United States Senator, member of Congress or solicitor, to be voted for in any party primary election, shall file with and place in the possession of the treasurer of the State committee by twelve o’clock noon on the third Thursday following the State convention a notice or pledge in the following form, the blanks being properly filled in and the notice or pledge signed by the candidate:

‘I hereby file my notice as a candidate for the nomination as
 in the primary election to be held on
 I affiliate with the
 Party, and I hereby pledge myself to abide by the results of said
 primary and to support in the next general election all candidates
 nominated in said primary and I authorize the issuance of an injunction
 upon ex parte application by the party chairman, as provided by
 law, should I violate this pledge by offering or campaigning for election
 to this office in the ensuing general election.’

Every candidate for selection in a primary election as the nominee of any political party for the office of State Senator, member of the House of Representatives and all county and township offices shall file with and place in the possession of the county chairman or such other officer as may be named by the county committee of the county in which they reside by twelve o'clock noon on the third Tuesday following the county convention a like notice and pledge.

The notice of candidacy required by this section to be filed by a candidate in a primary must be signed personally by the candidate, and such signature of the candidate must be signed in the presence of the county chairman or such other officer as may be named by the county committee with whom such candidate is filing, or a candidate must have his signature on the notice of the candidacy acknowledged and certified by any officer authorized to administer an oath. Any notice of candidacy of any candidate signed by an agent in behalf of a candidate shall not be valid.

In the event that a person who was defeated as a candidate for nomination to an office in a party's primary election shall thereafter offer or campaign as a candidate against any nominee for election to any office in the ensuing general election, the State Chairman of the party which held such primary (if the office involved is one voted for in the general election by the electors of more than one county), or the County Chairman of the party which held such primary (in the case of all other offices), shall forthwith institute an action in a court of competent jurisdiction for an order enjoining such person from so offering or campaigning in the general election, and the court is hereby empowered upon proof of such facts to issue such order."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

An Act To Authorize The Board Of Trustees Of The School District Of Fairfield County To Sell And Convey By Deed School Buildings No Longer Needed For School Purposes After Approval Of Qualified Electors, And To Ratify Prior Conveyances.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. School District of Fairfield County may dispose of abandoned school buildings.—The Board of Trustees of the School District of Fairfield County is authorized to convey by deed any school building within the district which is abandoned and is no longer needed for school purposes. Upon the decision to sell abandoned school buildings, the Board of Trustees shall advertise the sale to the public to the highest bidder, reserving the right to reject any and all bids. No sale shall be made until an advertisement has been inserted in a newspaper of general circulation in Fairfield County at least once per week for two consecutive weeks immediately preceding the sale, provided that no abandoned school building shall be conveyed until such action has been approved at a meeting of the qualified electors of the school district, which meeting shall have been advertised in a newspaper of general circulation in the district once a week for two consecutive weeks immediately preceding the meeting. At the meeting the question shall be presented to the qualified electors to determine if the building shall be used as a community building, pursuant to Article 2, Chapter 11, Title 21 of the Code of 1962, or whether the Board of Trustees shall be authorized to sell the building as provided herein.

SECTION 2. Proceeds.—The proceeds from the sale of any abandoned school building shall be placed in the treasury of Fairfield County and shall be used for school purposes. Deeds of conveyance shall be made to the purchaser by the chairman and secretary of the Board of Trustees.

SECTION 3. Prior conveyances ratified.—All deeds of conveyance for abandoned school buildings made prior to the effective date of this act are ratified and confirmed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R746, S585)

No. 724

An Act To Amend Section 15-942 Of The 1962 Code, Which Provides For The Method Of Drawing Juries In Certain Municipalities, So As To Include The City Of Barnwell In Barnwell County Under The Provisions Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-942 amended—Section 15-941 not to apply to certain municipalities.—Section 15-942 of the 1962 Code is amended by striking it and inserting in lieu thereof the following :

“Section 15-942. The provisions of Section 15-941 shall not apply to municipalities in Berkeley, Horry and Marion Counties, or to the cities or towns of Batesburg, Bethune, Hemingway, Leesville, Saluda, Woodruff, and Barnwell, in which counties and cities or towns juries for the courts shall be prepared and drawn in the same manner as juries are drawn in the magistrates’ courts in this State.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R747, S586)

No. 725

An Act To Provide For The Transfer To The General Fund Of Dorchester County Of Certain Funds Held By The Delinquent Tax Collector Of Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Delinquent Tax Collector of Dorchester County to transfer certain funds.—Funds which have heretofore been, or may hereafter be, deposited in the escrow account of the Delinquent Tax Collector of Dorchester County, being the proceeds of tax sales in excess of amount necessary to pay the taxes due or otherwise being overpayments, shall, if not properly claimed by the person entitled thereto within a period of five years from the date of deposit, be deemed forfeited to the County of Dorchester and shall be paid by the delinquent tax collector to the county treasurer for credit to the general fund of the county.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R748, H2016)

No. 726

An Act To Amend Section 14-3201, Code Of Laws Of South Carolina, 1962, Specifying The Membership Of The Board Of Commissioners Of Richland County, So As To Create A County Board Of Road Commissioners; To Create A Board Of Administrators For The County, And To Prescribe Its Powers And Duties; And To Repeal Act No. 294 Of 1963.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-3201 amended—Board of Road Commissioners created for Richland County—elections—terms—vacancies.—Section 14-3201 of the Code of 1962 is amended by striking out the section in its entirety and inserting in lieu thereof the following which shall be Section 14-3201 :

“Section 14-3201. A Board of Road Commissioners is hereby created for Richland County which shall be composed of one member from each of the townships in the county. One member of the board shall be elected from each township of the county by the qualified electors of the township wherein the member resides. The road commissioners shall hold office co-terminously with the county supervisor and they shall hold office until their successors are elected and shall qualify. In case of a vacancy before the expiration of the term for which elected, the successor in office shall be elected for the unexpired portion of the term.”

SECTION 2. Duties.—The County Board of Road Commissioners, subject to the provisions of Section 14-254, Code of Laws of South Carolina, 1962, shall be charged with the responsibility for construction and maintenance of all public highways of the county, roads and bridges and shall receive all paving petitions and make recommendations thereon to the legislative delegation of the county.

SECTION 3. County Board of Commissioners to be road commissioners.—All members of the County Board of Commissioners

shall cease to serve as such as of midnight, December 31, 1964, and thereafter they shall serve as road commissioners of their respective townships until midnight, June 30, 1967.

SECTION 4. Board of Administrators of Richland County to be created—members—elections—terms—vacancies.—On January 1, 1965, there shall be created the Board of Administrators of Richland County which shall be composed of five members, one of whom shall be the county supervisor who shall serve ex officio and shall be chairman of the board. The four other members of the board shall be elected from the county at large by the qualified electors of the county. The members of the board who take office on January 1, 1965, other than the county supervisor, shall be elected in the general election of 1964. The terms of office of the members of the County Board of Administrators shall be for four years and until their successors are elected and shall qualify, except that two of those members first elected to the board shall be for terms of two years. The length of the terms of office of the members of the Board of Administrators first elected shall be determined as follows: the two members who received the highest number of votes in the general election shall serve for terms of four years and the two members receiving the next highest number of votes shall serve for two years. In case of a vacancy prior to the expiration of the term of office for which elected, the successor shall be elected for the unexpired portion of the term.

SECTION 5. To be governing body of county—powers and duties.—The County Board of Administrators shall be the governing body of the county. The board shall be charged with the administration of county affairs, including but not limited to:

(a) The hearing of all budget requests and the preparation of the annual budget for the operation of the affairs of the county which shall be submitted to the county legislative delegation for final approval.

(b) The formulation and implementation of personnel policies for county employees including supervision of insurance programs; except that the rights of the constitutional officers of the county, the county tax collector, the auditor, and the treasurer to select their own personnel shall not be infringed.

(c) The purchasing of all supplies and equipment by the county and the maintenance of inventory records thereon.

(d) Approval of expenditures from the contingent fund as it may be established from time to time by law.

(e) The supervision of all buildings and grounds owned by the county.

(f) The acquisition of property by purchase or gift.

(g) The adoption, use and alteration of a corporate seal.

(h) The leasing or sale of property owned by the county.

(i) The making of contracts for the county.

(j) The exercise of the power of eminent domain within the county.

(k) The exercise of all powers vested by law on or before midnight, December 31, 1964, in the former County Board of Commissioners.

SECTION 6. Act 294 of 1963 repealed.—Act No. 294 of 1963 is repealed.

SECTION 7. Time effective.—This act shall take effect on approval of the Governor.

Approved the 14th day of February, 1964.

(R751, H2046)

No. 727

An Act To Provide For A Referendum As To The Creation Of The Reidville Area Fire District In Spartanburg County And To Provide For Its Creation In The Event Of A Favorable Vote; To Provide For A Board Of Fire Control For The District; To Prescribe The Powers, Duties And Membership Of The Board; To Provide For Tax Levies; And To Provide Penalties For Certain Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Referendum covering establishment of Reidville Area Fire District.—The Spartanburg County Commissioners of Election shall conduct a referendum on the 24th day of March, 1964, to ascertain the wishes of the qualified electors residing within the proposed Reidville Area Fire District on the question of whether or not they favor the establishment of a rural fire district and favor the necessary tax levy.

The commissioners of election shall publish the information relating to the referendum once a week for two consecutive weeks in a newspaper having general circulation in the area.

SECTION 2. Ballots and question.—The commissioners of election shall have printed a sufficient number of ballots and have them distributed at the voting places. The ballots shall read as follows: "Do you favor establishing and operating a rural fire department in the Reidville area and the necessary tax levy?"

In favor of ☐

Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words 'In favor of' and those voting against the question shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to.' "

Only those persons otherwise qualified and owning taxable property within the area shall be entitled to vote. The officials responsible for canvassing the results of the election shall, within ten days, certify such results to the clerk of court of the county and to the Secretary of State.

SECTION 3. District to be established if referendum favorable.—If a majority of those voting in the election vote in favor of the creation of the fire district, there is hereby established the Reidville Area Fire District in Spartanburg County encompassed within the lines as shown on a plat recorded in the R. M. C. Office of Spartanburg County in Plat Book 47, at Pages 266-267.

SECTION 4. Board established—members and terms.—After the creation of the Reidville Area Fire District, there is established a board of fire control for the district, to be composed of three members who shall be appointed by the Governor upon the recommendation of a majority of the Spartanburg County Legislative Delegation. *Provided*, that of those first appointed, one member shall serve for a term of two years, one member shall serve for a term of four years and one member shall serve for a term of six years, or until their successors are appointed and qualify. The members of the board shall serve without pay and shall file annually a report with the Spartanburg County Board of Control, not later than the first of November of each year, showing all activities and disbursements made by the board during the year.

If at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose

of electing a member to the board to succeed the member whose term will expire during such year, for a six-year term. Thereafter, members shall be elected in each succeeding general election for terms of six years.

SECTION 5. Powers and duties.—The board shall have the following duties and responsibilities:

(a) To buy such fire-fighting equipment as the board deems necessary for the purpose of controlling fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the area where the fire-fighting equipment shall be kept.

(c) To provide and select the drivers and other volunteer firemen to man such equipment, who shall serve without compensation.

(d) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of the area.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire-fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(g) To construct, if necessary, buildings to house the equipment authorized herein.

(h) To borrow not exceeding twenty thousand dollars on such terms and for such a period as to the fire control board may seem most beneficial for the fire district in anticipation of taxes. The indebtedness shall be evidenced by a note issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the Reidville Area Fire District is hereby irrevocably pledged for the payment of the indebtedness.

SECTION 6. Tax levy.—The Auditor and Treasurer of Spartanburg County are hereby directed to levy and collect a tax of not more than three mills, to be determined by the board of fire control, upon all the taxable property of the district for the purpose of defraying the expenses incurred by the board. All monies collected from this levy shall be credited to the fire district.

SECTION 7. Supervision of equipment.—The fire chief or equivalent official of the truck company to which the equipment is assigned

shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

SECTION 8. Members to enforce fire laws.—All members of the truck company of the district may direct and control traffic at the scene of any fire in the area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 9. Unlawful acts—penalties.—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire department in the district, and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment for not exceeding thirty days.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R753, H2076)

No. 728

An Act To Provide For The Terms Of Office Of The Intendant And Wardens Of The Town Of Johnsonville In Florence County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Terms of intendant and wardens for Town of Johnsonville.—Upon the expiration in 1966 of the terms of office for which the intendant and wardens of the Town of Johnsonville in Florence County were elected, their successors in office and those elected thereafter to the offices of intendant and wardens shall be for terms of two years.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R756, H2080)

No. 729

An Act Providing For The Regulation Of A Garbage Dump Owned By The Town Of Bluffton In Beaufort County, And Providing Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Bluffton to regulate and police garbage dump.—The Bluffton Town Council may promulgate rules and regulations concerning the use of the municipally-owned garbage dump which shall be posted on the premises. The law enforcement officials of the town shall police the area and violators may be tried by the municipal authorities.

SECTION 2. Penalties.—Any person violating any of the provisions of this act or any of the rules promulgated shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R758, H2091)

No. 730

An Act To Amend Section 59-174, As Amended, Of The 1962 Code, So As To Include The Town Of Scranton In Florence County Among Those Municipalities Wherein The Board Of Commissioners Of Public Works Has Been Abolished And The Duties and Powers Of The Board Have Been Vested In The Town Council.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Scranton not to have board of commissioners.—In addition to the cities and towns set out in Section 59-174 of the 1962 Code which shall not have boards of commissioners of public works, the Town of Scranton in Florence County shall not have such a board and the powers, duties and responsibilities vested in such boards in other cities and towns shall be vested in the Town Council of the Town of Scranton.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R759, H2095)

No. 731

An Act To Amend Section 47-251 Of The 1962 Code, Authorizing Certain Municipal Corporations To Levy An Annual Tax Of Not Exceeding Seventy Mills, So As To Include The Town Of Ninety Six In Greenwood County Within Such Authorization.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-251 amended—certain municipalities may levy annual tax.—Section 47-251 of the 1962 Code is amended by striking the word “and” on line one and inserting in lieu thereof a comma and by inserting between the word “County” and “may” on line two the following: “and Ninety Six in Greenwood County”. The section when amended shall read as follows:

“Section 47-251. The town councils of the towns of Chesterfield in Chesterfield County, St. Matthews in Calhoun County and Ninety Six in Greenwood County may levy an annual tax of not exceeding seventy mills upon the assessed value of all taxable property within the corporate limits of the respective towns.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R762, H2113)

No. 732

An Act To Amend Section 59-174, As Amended, Of The 1962 Code, So As To Include The Town Of Sharon In York County Among Those Municipalities Wherein The Board Of Commissioners Of Public Works Has Been Abolished And The Duties And Powers Of The Board Have Been Vested In The Town Council.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Sharon not to have board of commissioners.—In addition to the cities and towns set out in Section 59-174 of the 1962 Code which shall not have boards of commissioners of public works, the Town of Sharon in York County shall not have such a board and the powers, duties and responsibilities vested in such boards in other cities and towns shall be vested in the Town Council of the Town of Sharon.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R763, H2114)

No. 733

An Act To Authorize The Use Of Certain Confiscated Motor Vehicles For County Purposes In Lee County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Use of confiscated motor vehicles by Lee County.—Any motor vehicle seized by the Sheriff of Lee County and confiscated in accordance with the provisions of Article 6, Chapter 1, Title 4, of the 1962 Code, may be used by the sheriff's office and by the county chain gang of Lee County for official purposes; *provided*, that at no time shall the number of confiscated vehicles so used exceed one automobile by the sheriff's office and two trucks by the chain gang.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R764, H2116)

No. 734

An Act To Provide For Payment By The Treasurer Of Darlington County To The Auditor And To The Tax Collector Of A Fee For Each Tax Execution Issued And Collected As Additional Compensation For The Performance Of The Duties Of Their Respective Offices.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Auditor and Tax Collector of Darlington County to receive fee for tax executions.—The Treasurer of Darlington County is directed to pay to the auditor and to the tax collector the sum of fifty cents each for each tax execution issued and collected subsequent to December 31, 1963. These sums shall be retained by the auditor and the tax collector as additional compensation for the performance of the duties of their respective offices.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R765, H2127)

No. 735

An Act Designating Botany Woods In Greenville County As A Bird Sanctuary, And Providing Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Botany Woods in Greenville County to be bird sanctuary.—The area known as Botany Woods in Greenville County is declared to be a bird sanctuary. It shall be unlawful for anyone to kill or maim any bird within such sanctuary. Anyone violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed twenty dollars or imprisoned for a period not to exceed five days.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R766, H2128)

No. 736

An Act To Amend Section 23-176 Of The 1962 Code, As Amended, Relating To Voting Precincts Of Greenville County, So As To Change The Name Of Montague Precinct To That Of Duncan Chapel Precinct.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Name of voting precinct changed in Greenville County.—Notwithstanding the provisions of Section 23-176 of the 1962 Code, as amended, the name of Montague at Watkins store Precinct in Greenville County is changed to Duncan Chapel Precinct.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R767, S593)

No. 737

An Act To Require Building Permits In Williamsburg County; To Provide Penalties For Violations; And To Repeal Act No. 127 Of 1963, Relating To Building Permits In Williamsburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Building permits required in Williamsburg County.—Any person constructing, altering or moving any building in Williamsburg County at a cost or value in excess of five hundred dollars shall obtain a permit to be issued by a magistrate; *provided*, that no permit shall be required for the construction, alteration or moving of a building within an incorporated municipality which requires a permit.

SECTION 2. Application forms.—The auditor shall prepare and furnish the application forms for permits, which shall show information to be of assistance to him in locating the real estate on which the construction is to be made and in checking tax returns.

The information shall include, but shall not be limited to, the following:

- (a) Name of owner of the real estate.
- (b) Township.
- (c) Street number or road and rural post office box number.
- (d) Estimated value of construction.
- (e) Approximate distance from the limits of the nearest municipality.

SECTION 3. Issuance of permits.—The magistrate shall issue the permits upon the applicant's paying a fee of one dollar for each building covered in the permit. The magistrate shall retain such fees to

cover the cost of issuing permits and any and all other expense in connection with enforcement of this act. The permit shall be dated and be made in triplicate; and the original and one copy are to be filed with the county auditor. The permit, when issued, shall be kept at the building or place where the construction is being done and on demand shall be produced by the person in charge of such work for inspection by any police officer or properly designated agent of the tax assessor's office, and it shall be unlawful to continue the work after demand until the permit is produced for inspection.

SECTION 4. Municipalities to furnish copies of permits.—Every municipality in the county requiring permits for the erection or construction of any improvements upon real estate shall furnish to the auditor copies of all permits issued.

SECTION 5. Penalties.—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding one hundred dollars nor less than twenty-five dollars, or imprisonment not exceeding thirty days nor less than ten days for each offense.

SECTION 6. Electricity not to be furnished without permit.—It shall be unlawful for any public utility company or rural electric cooperative to make any connection of electrical energy or other public utility service to a new building requiring a permit under this act unless such permit was acquired for the construction of the building. Any company or cooperative making a connection shall report to the county auditor's office on or before the tenth of each month the location of each connection; *provided*, the provisions of this act shall not be applicable to any telephone company.

SECTION 7. Act 127 of 1963 repealed.—Act No. 127 of 1963 is hereby repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R768, H2123)

No. 738

An Act To Amend Section 47-242 Of The 1962 Code, Providing For An Annual Tax Levy By The Town Of Walhalla In Oconee County, So As To Increase The Amount Of Such Levy.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-242 amended—Town of Walhalla may levy annual tax.—Section 47-242 of the 1962 Code is amended by striking the words “twenty-five” on line three and inserting in lieu thereof the word “fifty”. The section when amended shall read as follows:

“Section 47-242. The town council of the town of Walhalla in Oconee County may levy an annual tax of not exceeding fifty mills upon the assessed value of all taxable property within the corporate limits of the town for general purposes.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R770, S314)

No. 739

An Act To Provide For The Transfer Of Certain Prisoners From The Penitentiary To A Chain Gang.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain prisoners may be transferred from penitentiary to county chain gangs.—Any male person, who has been sentenced to the state penitentiary only, may be transferred to the chain gang of the county from which convicted upon request of the county official having charge of such chain gang and with the consent and approval of the director of the prison system; *provided*, the prisoner has served at least two years in the penitentiary with good conduct.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R771, S519)

No. 740

An Act To Amend Section 37-101, Of The 1962 Code, Relating To Supervision Of Insurance Companies By The Commissioner, So As To Exempt From Its Application Foreign Insurance Companies Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Insurance companies to be licensed—exceptions.—Section 37-101 of the 1962 Code is amended by changing the period at the end to a comma and inserting the following: “with the following exceptions:

(a) Without excluding other activities which may not constitute doing business in this State, a foreign insurance corporation shall not be deemed to be doing business in this State, for purposes of this chapter, solely by reason of carrying on in this State any one or more of the following activities:

1. Maintaining bank accounts.
2. Creating or acquiring evidences of debt, mortgages, or liens on real or personal property, and enforcing rights in connection therewith in any action or proceeding, whether judicial, administrative or otherwise.
3. Owning and controlling a subsidiary corporation incorporated in or transacting business within this State.”

When so amended, Section 37-101 shall read as follows:

“Section 37-101. Every insurance company doing business in this State shall be licensed and supervised by the Commissioner, with the following exceptions:

(a) Without excluding other activities which may not constitute doing business in this State, a foreign insurance corporation shall not be deemed to be doing business in this State, for purposes of this chapter, solely by reason of carrying on in this State any one or more of the following activities:

1. Maintaining bank accounts.
2. Creating or acquiring evidences of debt, mortgages, or liens on real or personal property, and enforcing rights in connection therewith in any action or proceeding, whether judicial, administrative or otherwise.
3. Owning and controlling a subsidiary corporation incorporated in or transacting business within this State.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R772, S611)

No. 741

An Act To Increase The Civil Jurisdiction Of Magistrates In Anderson County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Civil jurisdiction of magistrates in Anderson County.—Notwithstanding the provisions of Section 43-51 of the 1962 Code, the civil jurisdiction of all magistrates in Anderson County shall extend to cases where the amount in controversy does not exceed three hundred dollars. Such jurisdiction shall not extend to cases where the title to real estate is in question or to cases in chancery.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R774, S617)

No. 742

An Act To Create A Recreation Commission For Anderson County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Recreation Commission of Anderson County created.—There is hereby created the Recreation Commission of Anderson County which shall be composed of seven members to be appointed by the Governor upon the recommendation of a majority of the Anderson County Legislative Delegation. The terms of the members shall be for four years and until their successors are appointed and qualify, except that of those first appointed three shall serve for terms of two years, and four shall serve for terms of four years. Vacancies shall be filled in the manner of the original appoint-

ment for the unexpired portion of the term only. The members shall serve without remuneration or financial benefit of any kind.

SECTION 2. Officers and meetings.—The commission shall appoint from its membership a chairman and such other officers as it may deem necessary for the orderly conduct of its business, and may adopt such rules and regulations as it deems necessary to carry out the provisions of this act. The commission shall hold regular meetings at such times and places as it may designate, *provided*, that at least four public meetings shall be held each year.

SECTION 3. Powers and duties.—The commission may provide, maintain, operate and supervise public parks and playgrounds, athletic fields, recreation centers, and all other recreational or cultural facilities or activities owned or controlled by the county or leased or loaned to the commission. The commission may create policies for, have authority over and administer a coordinated recreation service, and may cooperate with similar local, State or Federal authorities.

SECTION 4. May accept property.—Anderson County, by and through the Recreation Commission, may accept real or personal property for recreational purposes; *provided*, that no such property may be accepted subject to any condition without written approval of the county legislative delegation.

SECTION 5. Employ personnel.—The Recreation Commission may employ a director of recreation and such other trained persons as it deems necessary.

SECTION 6. Disbursement of funds.—Funds appropriated for use by the Recreation Commission shall be disbursed by the Anderson County Board of Commissioners and the County Supervisor upon vouchers issued in conformance with the procedure approved by the county legislative delegation. Nonappropriated funds received by the commission shall be deposited in the general fund of the county for disbursement by the commission in the manner provided for appropriated funds.

SECTION 7. Annual Report.—The Recreation Commission shall make a written annual report, including a statement of receipts and disbursements, to the county legislative delegation at least twenty days prior to the end of each fiscal year. The fiscal year of the commission shall conform to that of the county.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R776, H2102)

No. 743

An Act To Amend Section 32-242 Of The 1962 Code, Relating To The County Board Of Health Of Florence County, So As To Provide For Additional Members, Their Qualifications And Appointments.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 32-242 amended—composition of board.—Section 32-242 of the 1962 Code is amended to read as follows :

“Section 32-242. The county board of health shall be composed of a member of the county federation of women’s clubs; a member of the county medical society; six bona fide residents of the county, one from each school district and one from the county at large, duly elected and appointed by the county legislative delegation, including the Senator; and a bona fide resident of the county, duly elected and appointed by the executive committee of the State Board of Health. If for any reason the county board of health is not duly appointed, the State Board of Health may forthwith appoint duly qualified residents of the county to serve on the county board of health.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R779, H2144)

No. 744

An Act To Amend Section 23-166 Of The 1962 Code, As Amended, Relating To Voting Precincts In Chesterfield County, So As To Further Define The Cheraw Precincts.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 23-166 amended—voting precincts in Chesterfield County designated.—Section 23-166 of the 1962 Code, as amended, is further amended to read as follows:

“Section 23-166. In Chesterfield County there shall be the following voting precincts: Angelus; Bay Springs; Black Creek; Brocks Mill; Cash; Catarrh; Cat Pond; Center Grove; Center Point; Cheraw No. 1; Cheraw No. 2; Cheraw No. 3; Court House; Cross Roads; Dudley; Grants Mills; Jefferson; Mangum; Middendorf; Mt. Croghan; McBee; Ousleydale; Pageland; Patrick; Pee Dee; Ruby; Shiloh; Snow Hill; Vaughn; Wexford; White Oak; and Winzo. The Cheraw precincts herein designated shall be constituted as follows:

Cheraw No. 1—All that area of the old Cheraw No. 1 voting precinct lying within the following boundaries: Commencing at the point where the center of Kershaw Street intersects with the center of the Atlantic Coast Line Railroad track, just southwest of Jersey Street within the incorporate limits of the Town of Cheraw, and running northeastwardly along the center of Kershaw Street to the northeasterly terminus of Kershaw Street and thence in a straight line northeastwardly until such line intersects with the Great Pee Dee River, thence up the Great Pee Dee River in a northwestwardly direction to a point where it intersects with the Brocks Mill voting precinct line, thence along the Brocks Mill voting precinct line in a westwardly direction to a point where it intersects with the center of the Atlantic Coast Line Railroad track, thence southeastwardly down the center of the Atlantic Coast Line Railroad track to a point where it intersects with the center of Kershaw Street, the beginning point.

Cheraw No. 2—All that area of the old Cheraw No. 1 voting precinct lying within the following boundaries: Commencing at the point where the center of Kershaw Street intersects with the center of the Atlantic Coast Line Railroad track, just southwest of Jersey Street within the incorporate limits of the Town of Cheraw, and running northwestwardly up the center of the Atlantic Coast Line Railroad track to a point where it intersects with the Brocks Mill voting precinct line, thence along the Brocks Mill voting precinct line in a westwardly direction to a point where it intersects with the Court House voting precinct line, thence along the Court House, Grants Mills,

Patrick and Cash voting precincts lines to a point where the Cash voting precinct line intersects with the center of the Atlantic Coast Line Railroad track, south of the Town of Cheraw, thence up the center of the Atlantic Coast Line Railroad track in a northwestwardly direction for a distance, then northeastwardly direction to a point where it intersects with a straight line extended southeastwardly from the center of the intersection of Evans Row with Cash Road to the center of the Atlantic Coast Line Railroad track, thence said straight line from the center of the Atlantic Coast Line Railroad track in a northwestwardly direction to the center of the intersection of Evans Row with Cash Road, thence up the center of Evans Row in a northwestwardly direction a distance, then westwardly to a point where it intersects with the center of Oak Street, thence up the center of Oak Street in a northwardly direction to a point where it intersects with the center of the Atlantic Coast Line Railroad track, thence up the center of the Atlantic Coast Line track in a northeastwardly direction for a distance, then northwestwardly direction to a point where it intersects with the center of Kershaw Street, the beginning point.

Cheraw No. 3—All that area of the old Cheraw No. 1 voting precinct lying within the following boundaries: Commencing at the point where the center of Kershaw Street intersects with the center of the Atlantic Coast Line Railroad track, just southwest of Jersey Street, within the incorporate limits of the Town of Cheraw, and running northeastwardly along the center of Kershaw Street to the northeasterly terminus of Kershaw Street and thence in a straight line northeasterly until such line intersects with the Great Pee Dee River, thence down the Great Pee Dee River in a southwardly direction for a distance then southeastwardly direction to a point where it intersects with the Cash voting precinct line, thence along the Cash voting precinct line in a westwardly direction to a point where it intersects with the center of the Atlantic Coast Line Railroad track, thence up the center of the Atlantic Coast Line Railroad track in a northwestwardly direction for a distance, then northeastwardly direction to a point where it intersects with a straight line extended southeastwardly from the center of the intersection of Evans Row with Cash Road to the center of the Atlantic Coast Line Railroad track, thence said straight line from the

center of the Atlantic Coast Line Railroad track in a northwardly direction to the center of the intersection of Evans Row with Cash Road, thence up the center of Evans Row in a northwardly direction a distance, then westwardly to a point where it intersects with the center of Oak Street, thence up the center of Oak Street in a northwardly direction to a point where it intersects with the center of the Atlantic Coast Line Railroad track, thence up the center of the Atlantic Coast Line track in a northeastwardly direction for a distance, then northwestwardly direction to a point where it intersects with the center of Kershaw Street, the beginning point.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R783, H2183)

No. 745

An Act To Amend Sections 15-1321.4 And 15-1321.15 Of The 1962 Code, Relating To The Term Of Office Of The Judge Of The Domestic Relations Court Of Orangeburg County And To Appeals Therefrom, So As To Increase The Term Of Office And Change The Appeal Procedure; And To Extend The Present Term Of Office Of The Judge.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-1321.4 amended—term—vacancy—special judge.—Section 15-1321.4 of the 1962 Code is amended by striking the word “two” on line 2 and inserting in lieu thereof the word “four” and by striking on lines 2 and 3 the words “in each odd-numbered year and” and by inserting in lieu thereof the following: “, 1967 and each four years thereafter and”. When amended the section shall read as follows:

“Section 15-1321.4. The judge shall hold office for a term of four years commencing July first, 1967 and each four years thereafter and until his successor shall be appointed and qualifies. Any vacancy in the office shall be filled by appointment by the Governor in the manner provided in Section 15-1321.2. Such appointee shall hold office for the unexpired term of his predecessor. In case of the

absence or inability of the judge to act at the time fixed for holding any term of court, the Governor may appoint some other suitable and qualified attorney at law to hold the term of court as special judge."

SECTION 2. Section 15-1321.15 amended—appeals.—Section 15-1321.15 of the 1962 Code is amended to read as follows:

"Section 15-1321.15. Any party to a proceeding may appeal from any order or decree of the court to the circuit court in the manner now provided for appeal to the circuit court from other inferior courts.

The pendency of an appeal or application therefor shall not suspend any order of the domestic relations court nor shall it discharge any child from the custody of that court or of the person, institution or agency to whose care such child shall have been committed. The circuit court may, upon appeal, reverse, affirm or modify the order of the domestic relations court; however, any order of the circuit court may remand the action to the jurisdiction of the domestic relations court for supervision, care and enforcement and thereafter the action and the parties thereto shall remain under the jurisdiction of the domestic relations court in the same manner as if no appeal had been taken."

SECTION 3. Present term of judge extended.—The present term of the Judge of the Domestic Relations Court of Orangeburg County is extended until July first, 1967.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R784, S547)

No. 746

An Act To Amend Sections 58-1438 And 58-1439 Of The 1962 Code, As Amended, Relating To The License Fees Required Of Motor Vehicle Carriers To Obtain Class D, E and F Certificates, So As To Reduce Such License Fees.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 58-1438 amended—license fees for D certificate holders.—Section 58-1438 of the 1962 Code, as amended, is further amended to read as follows:

"Section 58-1438. A holder of a certificate D shall annually on or before the first day of January of each year pay to the Commission one-fourth mill for each ton mile to be operated, exclusive of the weight of the vehicle, subject to the following schedule of minimum fees:

STRAIGHT TRUCKS:	<i>Annual Fee</i>
For carrying capacity of not over 1 ton	
(payload 2,600 pounds)	7.50
For carrying capacity over 1 ton and not over 2 tons	
(payload 5,200 pounds)	12.50
For carrying capacity over 2 tons and not over 3 tons	
(payload 7,800 pounds)	25.00
For carrying capacity over 3 tons and not over 4 tons	
(payload 10,400 pounds)	37.50
For carrying capacity over 4 tons and not over 5 tons	
(payload 13,000 pounds)	50.00
For carrying capacity over 5 tons (maximum)	62.50
TRACTOR-TRAILER COMBINATION:	
For 1 ton tractor and 1 ton trailer	
(payload 5,200 pounds)	12.50
For 2 ton tractor and 1 ton trailer	
(payload 7,800 pounds)	18.75
For 2 ton tractor and 2 ton trailer	
(payload 10,400 pounds)	25.00
For 3 ton tractor and 2 ton trailer	
(payload 13,000 pounds)	37.50
For 3 ton tractor and 3 ton trailer	
(payload 15,600 pounds)	50.00
For 4 ton tractor and 3 ton trailer	
(payload 18,200 pounds)	62.50
For 4 ton tractor and 4 ton trailer	
(payload 20,800 pounds)	75.00
For 5 ton tractor and 4 ton trailer	
(payload 23,400 pounds)	87.50
For 5 ton tractor and 5 ton trailer	
(payload 26,000 pounds)	100.00
For 6 ton tractor and 5 ton trailer	
(payload 28,600 pounds)	112.50
For 6 ton tractor and 6 ton trailer (maximum)	125.00
<i>Provided</i> , that if vehicles are equipped with solid tires, the rates and	

minimum fees prescribed above shall be doubled. *Provided*, further, that the Commission within its discretion may prorate and adjust any portion or all of the above fees, as between vehicles and units of various types."

SECTION 2. Section 58-1439 amended—license fees for E and F certificate holders.—Section 58-1439 of the 1962 Code, as amended, is further amended to read as follows:

"Section 58-1439. Each holder of a certificate E or F shall annually on or before the first day of January pay for each vehicle to be operated during the ensuing year, license fees in accordance with the following schedule:

STRAIGHT TRUCKS:	<i>Annual Fee</i>
For carrying capacity not over 1½ tons (pay load 3,900 pounds)	7.50
For carrying capacity over 1½ tons and not over 2 tons (pay load 5,200 pounds)	10.00
For carrying capacity over 2 tons and not over 3 tons (pay load 7,800 pounds)	15.00
For carrying capacity over 3 tons and not over 4 tons (pay load 10,400 pounds)	25.00
For carrying capacity over 4 tons and not over 5 tons (pay load 13,000 pounds)	37.50
For carrying capacity over 5 tons (maximum)	50.00
TRACTOR-TRAILER COMBINATIONS:	
For 1 ton tractor and 1 ton trailer (pay load 5,200 pounds)	7.50
For 2 ton tractor and 1 ton trailer (pay load 7,800 pounds)	12.50
For 2 ton tractor and 2 ton trailer (pay load 10,400 pounds)	20.00
For 3 ton tractor and 2 ton trailer (pay load 13,000 pounds)	25.00
For 3 ton tractor and 3 ton trailer (pay load 15,600 pounds)	30.00
For 4 ton tractor and 3 ton trailer (pay load 18,200 pounds)	40.00
For 4 ton tractor and 4 ton trailer (pay load 20,800 pounds)	50.00
For 5 ton tractor and 4 ton trailer (pay load 23,400 pounds)	62.50

For 5 ton tractor and 5 ton trailer (pay load 26,000 pounds)	75.00
For 6 ton tractor and 5 ton trailer (pay load 28,600 pounds)	87.50
For 6 ton tractor and 6 ton trailer (maximum)	100.00
If any such vehicles are equipped fully or partially with solid tires such fees shall be doubled. The term 'carrying capacity' as used in this section shall mean the actual carrying capacity of such vehicle, with, however, an overload allowance of thirty per cent. The Commission within its discretion may prorate and adjust any portion or all of the above fees, as between vehicles and units of various types."	

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R785, S587)

No. 747

An Act To Exempt Property Of Masonic Lodges In Dillon County From County Taxes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Masonic lodges in Dillon County exempt from taxes.—The property of any Masonic lodge or order in Dillon County shall be exempt from county taxes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R787, H2110)

No. 748

An Act To Provide That In Abbeville County No Person Shall Serve On More Than One County Board Or Commission; To Provide For A Residence Requirement For Members Of Boards Or Commissions; And To Provide That A Person Who Serves On A Board Or Commission, Which Has Any Powers Or Duties Relative To Taxation, Shall Be A Freeholder.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. No person to serve on more than one Abbeville County Board.—No person shall serve on more than one county board or commission in Abbeville County.

SECTION 2. Residence requirements.—No member shall be appointed to a board or commission in Abbeville County who has not resided in the county for at least two years prior to his appointment.

SECTION 3. Only freeholders to be appointed to certain boards.—No person shall be appointed to a board or commission in Abbeville County, which has any powers or duties relative to taxation, who is not a freeholder in Abbeville County.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R791, S58)

No. 749

An Act To Amend Section 64-152.1 Of The 1962 Code Authorizing The Designation Of The Thursday Of State Fair Week As A Legal Holiday In Certain Counties, So As To Delete Colleton County From The Provisions Thereof And To Provide For A Legal Holiday In Colleton County On Friday Following Thanksgiving Day.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 64-152.1 amended—Thursday of State Fair Week may be legal holiday in certain counties.—Section 64-152.1 of the 1962 Code is amended by striking out the word "Colleton," on line two, so that when amended the section shall read as follows:

"Section 64-152.1. The county supervisor and the town council of any municipality in Berkeley, Dorchester and Florence Counties may, upon one publication of notice fifteen days in advance in a newspaper of general circulation in the county, declare Thursday of State Fair week a legal holiday concerning the conduct of its business."

SECTION 2. Friday after Thanksgiving legal holiday in Colleton County.—The Friday after Thanksgiving Day is hereby declared to be a legal holiday in Colleton County concerning the conduct of its business.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R792, S610)

No. 750

An Act To Exempt Certain Property In Laurens County From County And Municipal Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain organizations in Laurens County exempt from taxes.—The property of the following eleemosynary organizations in Laurens County shall be exempt from all county and municipal taxes :

Campbell Masonic Lodge No. 44 in Clinton ; and
The Laurens Junior Chamber of Commerce.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R793, S625)

No. 751

An Act Providing For The Use Of Confiscated Motor Vehicles In Colleton County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Colleton County may use confiscated motor vehicles.—Any motor vehicle confiscated in Colleton County may be used for county purposes upon the written approval of the legislative delegation.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R794, S640)

No. 752

An Act To Provide For Increasing The Millage In The Hartsville Township From Two To Three Mills For The Operation Of The Hartsville Memorial Library.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Hartsville Township to increase tax millage.—The millage in the Hartsville Township is hereby increased from two mills to three mills which shall be used for the operation of the Hartsville Memorial Library.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R795, S414)

No. 753

An Act To Amend Section 23-379, Code Of Laws Of South Carolina, 1962, Setting Forth The Additional Oath And Pledge Required Of Every Voter, So As To Provide The Addition Thereto That The Voter Has Not Participated In Any Other Party's Primary Election, Convention, Or Precinct Meeting During The Year, And To Delete From The Oath And Pledge That Portion Requiring The Support Of The Nominees Of The Primary In The General Election To Follow.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 23-379 amended—additional oath of voters.—Section 23-379, Code of Laws of South Carolina, 1962, is amended by striking the section in its entirety and inserting in lieu thereof the following :

“Section 23-379. The managers at each box shall require every voter to take the following additional oath and pledge: ‘I do solemnly swear or affirm that I am duly qualified to vote at this primary election and in this club, and that I have not voted before at this primary election or in any other party's primary election, convention, or precinct meeting held this year.’”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R796, S548)

No. 754

An Act To Amend Section 47-19 Of The 1962 Code, Relating To The Annexation By A Municipality Of Property Owned Entirely By A Corporation, So As To Eliminate The Requirement For Elections.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-19 amended—annexation when property owned by a corporation.—Section 47-19 of the 1962 Code is amended by adding at the end thereof the following: "Upon agreement of the governing body of the municipality to accept the petition and the passage of an ordinance to that effect by the municipality, the annexation shall be complete, and the election provided for in Sections 47-14 to 47-17 shall not be required." When so amended, the section shall read:

"Section 47-19. If the entire area proposed to be annexed belongs to a corporation only, it may be annexed on the petition of the stockholders of such corporation. Upon agreement of the governing body of the municipality to accept the petition and the passage of an ordinance to that effect by the municipality, the annexation shall be complete, and the election provided for in Sections 47-14 to 47-17 shall not be required."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R797, S588)

No. 755

An Act To Permit Offices In The Dillon County Courthouse To Close At Twelve O'Clock Noon On Wednesdays.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dillon County offices may close on certain Wednesday afternoons.—Notwithstanding any other provision of law, the offices located in the Dillon County Courthouse may close at twelve o'clock noon on Wednesdays except when the circuit court is in session or when the board of registration is conducting the registration of electors.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R799, H1673)

No. 756

An Act To Establish An Assessment And Equalization System For Taxation Of Property In Chesterfield County; To Provide For A Board Of Assessors And Board Of Appeals, Their Membership, Powers And Duties; And To Provide A Method Of Tax Appeals.

Whereas, a program of equalization of assessments for taxation is presently being undertaken in Chesterfield County; and

Whereas, it is deemed advisable that such program be validated and that future assessment programs be governed by legislative rules and guides so as to enable an orderly and equitable administration in the application of future programs. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Functions of Chesterfield County Board of Tax Assessors and Tax Assessments Appeals Board.—The function of the local administrative agencies known as the Chesterfield County Board of Tax Assessors and Chesterfield County Tax Assessments Appeals Board shall be to insure that all property in the county be placed upon the tax books and valued upon an equal and uniform basis designed to result in uniformity of assessments. The function of the Chesterfield County Board of Tax Assessors and Chesterfield County Tax Assessments Appeals Board shall not be in derogation of powers and functions of the State Tax Commission, nor remove the right of a property owner to appeal to the Commission for the relief provided under the general law.

SECTION 2. Chesterfield County Board of Tax Assessors created.—There is hereby created the Chesterfield County Board of Tax Assessors to be composed of seven appointed members. Of those appointed, one member shall be a resident of each of the six county school districts, and one from the county at large.

SECTION 3. Appointments—terms—vacancies.—The seven appointed members shall be appointed by the Governor, upon the recommendation of a majority of the Legislative Delegation. The members appointed from School Districts 1 and 2 and the county at large shall serve for terms of six years. The members appointed from School Districts 3 and 4 shall serve for terms of four years. The members appointed from School Districts 5 and 6 shall serve for terms of two years. Thereafter, their successors shall be appointed for regular terms of six years. Any vacancy on the board for any reason shall be filled for the unexpired term in the manner of the original appointment.

SECTION 4. Chairman — meetings — compensation — employees.—The members of the board shall, from among themselves, select one of their members to serve as chairman. The board shall meet within ten days after their appointment for the purpose of organizing and shall meet at least once a month thereafter and more often if directed by the chairman or upon written request of at least three members of the board. Five members shall constitute a quorum. The appointed members shall be paid on a per diem basis to be determined by the County Legislative Delegation. After appointment and organization of the board of tax assessors, and during the reassessment program, the tax assessor and all other employees of the reassessment program shall be employed by the board of tax assessors and shall receive such compensation as is appropriated for each job in the annual county appropriation act.

SECTION 5. Powers and duties.—All powers, duties and privileges of the board of tax assessors, board of township assessors and board of town assessors, so far as they relate to the assessment and valuation of property in the county, shall be devolved upon Chesterfield County Board of Tax Assessors.

The board shall be held responsible for and have authority to act in the following, and shall:

(1) Consider the tax returns and lists laid before it by the county auditor, and, if necessary, compare them with the tax returns and lists of the current and previous years;

(2) Seek for and discover all property, both real and personal, in Chesterfield County, not previously returned by the owners or agents thereof or not listed for taxation by the county auditor and list it for taxation in the name of the owner or person to whom it is taxable;

(3) Assess the value of all property, both real and personal, in the county and enter it upon the returns and lists furnished the county auditor;

(4) Make such changes in the valuation of any taxable property in the county as returned by any person or as fixed by the county auditor as may in their judgment be necessary or proper to conform with the rules and regulations of the board of tax assessors; and

(5) From time to time reassess taxable property in the county so as to reflect its proper valuation in the light of changed conditions.

SECTION 6. Records to be open to public.—The records of the board of tax assessor's office shall be always open to the public for inspection and shall be available to the county assessments appeals board.

SECTION 7. Chesterfield County Tax Assessments Appeals Board created—powers and duties—members—appointments—terms—vacancies—compensation.—There is hereby created a Chesterfield County tax assessments appeals board. The powers and duties of all existing boards having authority in matters of appeal from tax assessments shall devolve upon the board of tax assessments appeals. The board of tax assessments appeals shall consist of seven members to be appointed as follows: one member from each school district in the county and one member from the county at large appointed by the Governor upon recommendation of a majority of the County Legislative Delegation. All members of the board shall be resident freeholders of the district from which appointed, except the member appointed from the county at large who shall be a freeholder of the county. The members appointed from School Districts 5 and 6 and the member appointed from the county at large shall hold office for terms of six years. The members first appointed from School Districts 3 and 4 shall hold office for terms of four years. The members first appointed from School Districts 1 and 2 shall hold office for terms of two years. Thereafter all members of the board shall be appointed for terms of six years. All members shall hold office until their successors have been appointed. Vacancies shall be filled for the unex-

pired portion of the term in the manner of the original appointment. The board shall organize itself by electing one member as chairman and another as secretary. The board members shall be paid on a per diem basis to be determined by the County Legislative Delegation.

SECTION 8. Minutes.—Minutes shall be taken of all meetings of the board of tax assessments appeals. The minutes shall be a matter of public record, with a copy of the minutes duly certified by the secretary to be sent to the county board of tax assessors.

SECTION 9. Appeals.—All appeals from the board of tax assessors of the county shall be to the board of tax assessments appeals and from the board of tax assessments appeals to the South Carolina Tax Commission.

SECTION 10. Appeals to board of tax assessments appeals.—Any property owner or his agent, feeling aggrieved by any decision or action of the board of tax assessors, shall have the right, within twenty days after notice thereof, to appeal from such decision or action to the board of tax assessments appeals, by filing with the board of tax assessments appeals a written notice of appeal, specifying the grounds of appeal, and delivering to the county tax assessor a copy of the notice of appeal for the board of tax assessors. Within ten days after receipt by the tax assessor of the copy of the notice of appeal, the county tax assessor shall transmit to the board of tax assessments appeals a copy of the proceedings at the hearing and of the decision or order or action appealed from, together with a copy of the testimony taken thereon, if any was taken. Thereupon the board of tax assessments appeals shall fix a time and place for the hearing of appeal and shall give written notice thereof to the appellant and to the county tax assessor for the board of tax assessors not less than five days in advance of the day fixed for the hearing. At the hearing, both the appellant and the board of tax assessors shall have the right to be heard, and the board of tax assessments appeals may inspect the property under consideration, and receive any other relevant evidence offered by either party. Upon the hearing of the appeal, the board of tax assessments appeals shall either confirm, increase or reduce the valuation of assessment complained of, as may be required by the evidence before it and the justice of the case.

SECTION 11. Appeals to S. C. Tax Commission.—All appeals from the board of tax assessments appeals shall be to the South

Carolina Tax Commission. Any party to any matter decided by the board of tax assessments appeals feeling aggrieved by the decision of the board of tax assessments appeals shall have the right, within ten days after notice thereof, to appeal therefrom to the South Carolina Tax Commission by filing with the South Carolina Tax Commission a written notice of appeal, setting forth the decision or order appealed from and specifying the grounds of the appeal, and by delivering a copy of the notice of appeal to the chairman of the board of tax assessments appeals within the ten day period. Within thirty days after receipt by the chairman of the board of tax assessments appeals of the copy of the notice of appeal, the board of tax assessments appeals shall transmit to the South Carolina Tax Commission a certified copy of the testimony, exhibits and proceedings at the hearing and of the decision or order appealed from. Thereupon the South Carolina Tax Commission shall fix a time and place for the hearing of the appeal and shall give notice thereof to the appellant and to the board of tax assessments appeals not less than twenty days in advance of the day fixed for the hearing. It shall be the duty of the chairman of the board of tax assessments appeals to attend every such hearing, and the board shall have the right, if it so desires, to be heard in support of its order or decision. Upon the hearing of the appeal, the South Carolina Tax Commission shall either increase, confirm or reduce the valuation and assessment complained of.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R801, H2055)

No. 757

An Act To Amend Section 43-810 Of The 1962 Code, Relating To The Greenwood Township Magistrate's Constable, So As To Designate The Tax Collector Of Greenwood County As Constable For The Greenwood Township Magistrate, And Make Him Available To The Sheriff's Office.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 43-810 amended—Tax Collector of Greenwood County to be magistrate's constable.—Section 43-810 of the 1962 Code is amended to read as follows :

“Section 43-810. The Tax Collector of Greenwood County shall serve as constable for the Greenwood Township Magistrate. Such constable shall have all the authority vested in constables generally and as such shall be available to the sheriff’s office of Greenwood County when needed by the sheriff.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R802, H2175)

No. 758

An Act To Amend Act No. 366 Of 1963, Creating The Oconee County Library, So As To Further Provide For The Membership Of The Board Of Trustees Of The Library.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 366 of 1963 amended—to be managed by board of trustees.—Section 2 of Act No. 366 of 1963 is amended by striking on line two the word “five” and inserting the word “six”; by striking on lines two and three the following: “, no two of whom shall be from the same township,” and by adding on line five after the word “pay.” the following: “Two of the trustees may be residents of Seneca Township; *provided*, that one of such trustees resides in the Clemson area of the township. No other township shall have more than one resident serving on the board.”; and by striking on line five between the words “appointments” and “shall” the word “one” and inserting the word “two”. The section when amended shall read as follows:

“Section 2. The corporation shall be controlled and managed by a board of six trustees to be appointed by the Oconee County Legislative Delegation and to serve without pay. Two of the trustees may be residents of Seneca Township; *provided*, that one of such trustees resides in the Clemson area of the township. No other township shall have more than one resident serving on the board. Of the original appointments two shall be for a term of one year, two for a term of two years each, and two for a term of three years each, and until their successors have been appointed and qualified. Subsequent appointments, except to fill an unexpired term, shall be for terms

of three years each and until their successors shall have been appointed and qualified. Vacancies in an unexpired term shall be filled for the unexpired portion of the term in the manner of the original appointment. Members of the commission shall not serve consecutively for more than three terms and shall be subject to removal for cause by the appointing power."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R805, H2205)

No. 759

An Act To Amend Sections 47-244, As Amended, And 47-249 Of The 1962 Code, Relating To Tax Levies In Certain Municipalities, So As To Increase The Millage Which The Town Council Of The Town Of Williamston May Levy.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-244 not applicable to Town of Williamston.—Notwithstanding the provisions of Section 47-244 of the 1962 Code, as amended, the provisions thereof shall not apply to the town of Williamston, in Anderson County.

SECTION 2. Town of Williamston may levy tax.—Notwithstanding the provisions of Section 47-249 of the 1962 Code, the town council of the town of Williamston in Anderson County may levy forty-five mills on the dollar on all real and personal property within the corporate limits.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R806, H2013)

No. 760

An Act To Exempt The Property Of The Lancaster County Educational Foundation From Taxation.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Property of Lancaster County Educational Foundation exempt from taxes.—All real property of the Lancaster County Educational Foundation shall be exempt from taxation by Lancaster County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R807, H2216)

No. 761

An Act To Provide For A Referendum As To The Creation Of The Arkwright Area Fire District In Spartanburg County And To Provide For Its Creation In The Event Of A Favorable Vote; To Provide For A Board Of Fire Control For The District; To Prescribe The Powers, Duties And Membership Of The Board; To Provide For Tax Levies; And To Provide Penalties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Referendum concerning establishment of Arkwright Area Fire District.—The Spartanburg County Commissioners of Election shall conduct a referendum on the first Tuesday in April, 1964, to ascertain the wishes of the qualified electors residing within the proposed Arkwright Area Fire District on the question of whether or not they favor the establishment of a rural fire district and favor the necessary tax levy.

The commissioners of election shall publish the information relating to the referendum once a week for two consecutive weeks in a newspaper having general circulation in the area.

SECTION 2. Ballots and question.—The commissioners of election shall have printed a sufficient number of ballots and have them distributed at the voting places. The ballots shall read as follows:

“Do you favor establishing and operating a rural fire department in the Arkwright area and the necessary tax levy?

In favor of ☐

Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of’, and

those voting against the question shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to'."

Only those persons otherwise qualified and owning taxable property within the area shall be entitled to vote. The officials responsible for canvassing the results of the election shall, within ten days, certify such results to the clerk of court of the county and to the Secretary of State.

SECTION 3. District to be established if referendum favorable.—If a majority of those voting in the election vote in favor of the creation of the fire district, there is hereby established the Arkwright Area Fire District in Spartanburg County encompassed within the lines as shown on a plat recorded in the R. M. C. office of Spartanburg County in plat book 47, at page 313.

SECTION 4. Board established—members and terms.—After the creation of the Arkwright Area Fire District, there is established a board of fire control for the district to be composed of three members who shall be appointed by the Governor upon the recommendation of a majority of the Spartanburg County Legislative Delegation. *Provided*, that of those first appointed one member shall serve for a term of two years, one member shall serve for a term of four years and one member shall serve for a term of six years or until their successors are appointed and qualify. The members of the board shall serve without pay and shall file annually a report with the Spartanburg County Board of Control not later than the first of November of each year, showing all activities and disbursements made by the board during the year.

If at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose of electing a member to the board to succeed the member whose term will expire during such year, for a six-year term. Thereafter, members shall be elected in each succeeding general election for terms of six years.

SECTION 5. Powers and duties.—The board shall have the following duties and responsibilities:

(a) To buy such fire fighting equipment as the board deems necessary for the purpose of controlling fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the area where the fire-fighting equipment shall be kept.

(c) To provide and select the drivers and other volunteer firemen to man such equipment who shall serve without compensation.

(d) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of the area.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(g) To construct, if necessary, buildings to house the equipment authorized herein.

(h) To borrow not exceeding twenty thousand dollars on such terms and for such a period as to the fire control board may seem most beneficial for the fire district in anticipation of taxes. The indebtedness shall be evidenced by a note issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the Arkwright Area Fire District is hereby irrevocably pledged for the payment of the indebtedness.

SECTION 6. Tax levy.—The Auditor and Treasurer of Spartanburg County are hereby directed to levy and collect a tax of not more than four mills, to be determined by the board of fire control, upon all the taxable property of the district for the purpose of defraying the expenses incurred by the board. All monies collected from this levy shall be credited to the fire district.

SECTION 7. Supervision of equipment.—The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

SECTION 8. Members to enforce fire laws.—All members of the truck company of the district may direct and control traffic at the scene of any fire in the area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties.

in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 9. Unlawful acts—penalties.—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire department in the district, and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment not exceeding thirty days.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R810, H2235)

No. 762

An Act To Permit The Transfer Of Certain Elementary Pupils In Jasper County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Pupils attending Coosawhatchie Elementary School may be transferred.—Notwithstanding any other provision of law to the contrary, pupils attending the Coosawhatchie Elementary School in Jasper County may be transferred to another school within the county.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R811, S175)

No. 763

An Act To Further Provide For The Issuance Of Search Warrants, And Articles For Which Search Warrants May Be Issued.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Issuance of search warrants for certain articles.—Any magistrate, recorder or city judge having the powers of a magis-

trate, and any judge of any court of record of the State having jurisdiction over the area wherein the property sought is located, may issue a search warrant to search for and seize:

Any narcotic drugs, barbiturates, amphetamines or other drugs restricted to sale, possession, or use on prescription only, which are manufactured, possessed, controlled, sold, prescribed, administered, dispensed or compounded in violation of any of the laws of this State or of the United States. Any narcotics, barbiturates or other drugs seized hereunder shall be disposed of as provided by Section 32-1492, of the 1962 Code of Laws.

A warrant issued hereunder shall be issued only upon affidavit sworn to before the magistrate, municipal judicial officer, or judge of a court of record establishing the grounds for issuing the warrant. If the magistrate, municipal judge or other judicial officer above mentioned is satisfied that the grounds for the application exist or that there is probable cause to believe that they exist, he shall issue a warrant identifying the property and naming or describing the person or place to be searched. In the case of a warrant issued by a magistrate or a judge of a court of record, it shall be directed to any peace officer having jurisdiction in the county where issued, including members of the South Carolina Law Enforcement Division, and shall be returnable to the issuing magistrate. In case of warrant issued by a judge of a court of record, it shall be returnable to the magistrate having jurisdiction of the area where the property is located or the person to be searched is found. If any warrant is issued by any municipal judicial officer to municipal police officers, the return shall be made to the issuing municipal judicial officer. Any warrant issued shall command the officer to whom it is directed to forthwith search the person or place named for the property specified. The warrant shall direct that it be served in the daytime.

Any warrant issued hereunder shall be executed and return made only within ten days after it is dated. The officer executing the warrant shall make and deliver a signed inventory of any articles seized by virtue of the warrant, which shall be delivered to the judicial officer to whom the return is to be made, and if a copy of the inventory is demanded by the person from whose person or premises the property is taken, a copy of the inventory shall be delivered to him.

This act is not intended to and does not modify any act or law inconsistent with it, regulating search, seizure, and the issuance and

execution of search warrants in circumstances for which special provision is made.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R814, S641)

No. 764

An Act To Authorize The Distribution And Sale Of Copies Of The Legislative Manual.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Distribution of Legislative Manuals.—The Clerk of the House of Representatives may distribute, without charge, copies of each Legislative Manual as published to the following individuals, institutions and offices in South Carolina:

- (a) Members, clerks and attaches of the General Assembly;
- (b) Members of the South Carolina Congressional Delegation;
- (c) Justices of the Supreme Court and Circuit Judges;
- (d) Circuit and County Court Solicitors;
- (e) Clerks of Court;
- (f) State Departments, Boards and Commissions;
- (g) Representatives of news media reporting sessions of the General Assembly;
- (h) State supported institutions of higher learning;
- (i) Penal and charitable institutions;
- (j) Federal departments; and
- (k) Public schools.

SECTION 2. May be sold to the public.—The Clerk of the House of Representatives may offer for sale to the public at least five hundred copies of each Legislative Manual, as published, at such price as may be determined by the Clerk; *provided*, that this price may not be less than the additional cost of printing each such Manual.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R815, S650)

No. 765**An Act To Repeal Section 10-1626 Of The 1962 Code, Relating To Certain Court Costs In Richland County.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 10-1626 repealed.—Section 10-1626 of the 1962 Code is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R816, H1339)

No. 766**An Act To Prohibit Cancellation Of Automobile Liability Insurance Policies By The Insurer During The Term Of The Policy Contract Except For Certain Reasons.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Automobile liability insurance policies not to be cancelled except under certain conditions.—No insurance company once having issued or delivered a policy of automobile liability insurance in this State insuring a private passenger automobile shall, after the same has been in effect for sixty days, or in the case of a renewal effective immediately, cancel or cause such policy to be cancelled during the term of the policy contract except for the following specified reasons:

1. The named insured fails to discharge when due any of his obligations in connection with the payment of premium for this policy or any installment thereof; or

2. The insurance was obtained through material misrepresentation; or

3. The insured violates any of the terms and conditions of the policy; or

4. The named insured or any other operator, either resident in the same household, or who customarily operates an automobile insured under the policy,

(a) has had his driver's license suspended or revoked during the policy period, or

(b) is or becomes subject to epilepsy or heart attacks, and such individual cannot produce a certificate from a physician testifying to his unqualified ability to operate a motor vehicle, or

(c) is or has been convicted of or forfeits bail, during the thirty-six months immediately preceding the effective date of the policy or during the policy period, for:

(1) any felony, or

(2) criminal negligence resulting in death, homicide or assault, arising out of the operation of a motor vehicle, or

(3) operating a motor vehicle while in an intoxicated condition or while under the influence of drugs, or

(4) leaving the scene of an accident without stopping to report, or

(5) theft of a motor vehicle, or

(6) making false statements in an application for a driver's license, or

(7) a third violation, committed within a period of eighteen months, of (i) any ordinance or regulation limiting the speed of motor vehicles, or (ii) any of the provisions in the motor vehicle laws of any state, the violation of which constitutes a misdemeanor, whether or not the violations were repetitions of the same offense or were different offenses.

SECTION 2. Not to prohibit refusals to issue policies or to renew policies.—Any purported cancellation by an insurance company of a policy of automobile liability insurance contrary to the provisions of Section 1 shall be null and void. Nothing contained in this act shall be construed so as to prevent an insurance company from refusing to issue a policy of liability insurance upon application to it, nor shall anything in this act be construed to prevent an insurance company from refusing to renew such a policy upon expiration, except those applicants lawfully submitted pursuant to the South Carolina Assigned Risk Plan.

SECTION 3. Reason for cancellation must be given.—In every instance in which a policy or contract of automobile liability insurance is cancelled, the insurance company or its duly authorized agent shall at the written request of the named insured, specify the reason or reasons relied upon by the insurance company for such cancellation. *Provided*, that as between the company or its agent and the named insured or any other person who customarily operates an automobile insured under the policy the reasons specified for cancellation in the notice of cancellation shall constitute a privilege communication and

in an action for libel arising therefrom the defendant shall be entitled to assert the defense of qualified privilege as defined and limited by the common-law of this State.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R817, H2151)

No. 767

An Act To Amend Section 61-39 Of The 1962 Code, Which Provides That Certain Employees Making Fifty Dollars Or Less May Or May Not Participate In The South Carolina Retirement System, So As To Increase Such Amount To One Hundred Dollars; And To Add Section 61-41.2 To The 1962 Code, So As To Provide That Certain Hospital Employees May Or May Not Participate In The System.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 61-39 amended—certain persons may elect not to join System.—Section 61-39 of the 1962 Code is amended by striking “fifty” on line 2 and inserting in lieu thereof “one hundred”. The section when amended shall read as follows :

“Section 61-39. All employees and teachers having a monthly compensation from public funds of one hundred dollars or less and members of the General Assembly may exercise the option within thirty days after entering upon the discharge of such duties not to become a member of the System.”

SECTION 2. Section 61-41.2 added—certain hospital employees have option to join System.—Section 61-41.2 is added to the 1962 Code which shall read as follows :

“Section 61-41.2. Any person employed by a hospital which is an employer under the System by application, in the capacity of relief nurse, nurses aide, orderly, maid, houseman, kitchen or dining room helper, or laundry helper, may elect to become, or not to become, a member of the South Carolina Retirement System, if such option is exercised within thirty days after he enters upon the discharge of his duties.

Provided, that any member of the System employed in such capacity may withdraw from the System and forfeit all his rights of membership by signing a nonelection blank and applying for a refund of his contributions, provided he takes such action on or before June 30, 1964."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R818, H2233)

No. 768

An Act To Amend Section 59-174 Of The 1962 Code, As Amended, Relating To The Abolition Of Boards Of Commissioners Of Public Works In Certain Municipalities, So As To Add The Town Of Clemson In Pickens County To The Section.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Clemson not to have board of commissioners.—In addition to the cities and towns listed in Section 59-174 of the 1962 Code, in the Town of Clemson, in Pickens County, there shall be no board of commissioners of public works, and the powers and duties vested by general law in such boards in other cities and towns shall be vested in the Town Council of the Town of Clemson.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R819, S114)

No. 769

An Act To Increase The Terms Of Office Of Magistrates In Horry County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of Horry County magistrates.—The terms of magistrates appointed in Horry County in 1965 shall expire

December 31, 1968. Thereafter, the terms shall be for four years and until their successors have been appointed and qualify. In the event a magistrate holds over beyond his term, his successor shall be appointed for the remaining portion of the term for which appointed.

All vacancies shall be filled for the unexpired portion of the term only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R820, S177)

No. 770

An Act To Amend Section 72-4 Of The 1962 Code, Relating To Average Weekly Wages Of Certain Employees For Workmen's Compensation Benefits, So As To Provide For Rural Firemen.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 72-4 amended—average weekly wages for workmen's compensation benefits.—Section 72-4 of the 1962 Code is amended by striking the word "And" on line 33 and inserting in lieu—"Organized voluntary rural firemen and"; by inserting after the word "clerk" on line 38 "or the chairman of the county governing body"; and by adding at the end thereof the following: "*Provided*, that no organized voluntary rural firemen shall be included under the provisions of this Title unless approved by the governing body of the county." so that when so amended the section shall read as follows:

"Section 72-4. '*Average weekly wages*' shall mean the earnings of the injured employee in the employment in which he was working at the time of the injury during the period of fifty-two weeks immediately preceding the date of the injury, including the subsistence allowance paid to veteran trainees by the United States Government if the amount of such allowance shall be reported monthly by such trainee to his employer, divided by fifty-two; but if the injured employee lost more than seven consecutive calendar days at one or more times during such period, although not in the same week, then the earnings for the remainder of such fifty-two weeks shall be divided by the number of weeks remaining after the time so lost

has been deducted. When the employment prior to the injury extended over a period of less than fifty-two weeks, the method of dividing the earnings during that period by the number of weeks and parts thereof during which the employee earned wages shall be followed, provided results fair and just to both parties will be thereby obtained. Where, by reason of a shortness of time during which the employee has been in the employment of his employer or the casual nature or terms of his employment, it is impracticable to compute the average weekly wages as defined in this section, regard shall be had to the average weekly amount which during the fifty-two weeks previous to the injury was being earned by a person of the same grade and character employed in the same class of employment in the same locality or community.

But when for exceptional reasons the foregoing would be unfair, either to the employer or employee, such other method of computing average weekly wages may be resorted to as will most nearly approximate the amount which the injured employee would be earning were it not for the injury.

Whenever allowances of any character made to an employee in lieu of wages are a specified part of the wage contract they shall be deemed a part of his earnings. For the purpose of this Title the average weekly wage of all members of the South Carolina State Guard, regardless of rank, shall be deemed to be forty dollars per week. Organized voluntary rural firemen and voluntary firemen of municipalities covered by the provisions of this Title shall be deemed to receive an average weekly salary of forty dollars. *'Voluntary firemen'* shall be construed to mean all members of organized volunteer fire departments, whose membership shall be certified to the city or town clerk or the chairman of the county governing body by the chief of the fire department and whose average weekly wage is less than forty dollars. *Provided*, that no organized voluntary rural firemen shall be included under the provisions of this Title unless approved by the governing body of the county."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R821, S285)

No. 771

An Act To Amend Sections 10-421 And 10-424 Of The 1962 Code, Relating To Service On Corporations, So As To Further Provide For Service On Foreign Corporations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 10-421 amended—service of summons on corporations.—Section 10-421 of the 1962 Code is amended by inserting the words “or foreign” following the word “domestic” on lines 6, 7, 8 and 9 so that when so amended the section shall read as follows:

“Section 10-421. If the suit be against a corporation, the summons shall, except as otherwise expressly provided, be served by delivering a copy thereof to the president or other head of the corporation, or to the secretary, cashier or treasurer or any director or agent thereof; *provided, further*, that, in the case of domestic or foreign corporations, service as effected under the terms of this section shall be effective and confer jurisdiction over any domestic or foreign corporation in any county where such domestic or foreign corporation shall own property and transact business, regardless of whether or not such domestic or foreign corporation maintains an office or has agents in that county.”

SECTION 2. Section 10-424 amended—service on foreign corporations.—Section 10-424 of the 1962 Code is amended by adding at the end thereof the following: “*Provided*, service may be made on foreign corporations as is provided for in Section 10-421.” so that when so amended the section shall read as follows:

“Section 10-424. If the suit be against a foreign corporation other than a foreign insurance company the summons and any other legal paper may be served by delivering a copy to any officer, agent or employee of the corporation found at the place within this State designated by the stipulation or declaration filed by the corporation pursuant to Section 12-721. But if such foreign corporation transacts business in this State without complying with that section such service may be made by leaving a copy of the paper with a fee of one dollar in the hands of the Secretary of State or in his office, and such service shall be deemed sufficient service and shall have like force and effect in all respects as service upon citizens of this State found within its limits if notice of such service and a copy of the

paper served are forthwith sent by registered mail by the plaintiff to the defendant foreign corporation and the defendant's return receipt and the plaintiff's affidavit of compliance therewith are filed in the cause and submitted to the court from which such process or other paper issued.

Such service may also be made by delivery of a copy thereof to any such corporation outside the State, and proof of such delivery may be made by the affidavit of the person delivering such copy. Such affidavit shall be filed in the cause and submitted to the court from which the process or other paper issued. *Provided*, service may be made on foreign corporations as is provided for in Section 10-421."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R823, S565)

No. 772

An Act To Amend Sections 23-254, 23-259, 23-260 And 23-262 of the 1962 Code, Relating To Political Parties, So As To Provide That If The Last Preceding Nomination Of A Political Party Has Been By Convention The Representation At The County Convention Shall Be Based Upon The Vote In The Precinct For Presidential Electors In The Last Preceding General Election And To Provide For The Reporting Of Precinct, County And State Political Party Officers.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 23-254 amended—party clubs—officers to be reported to clerk of court.—Section 23-254 of the 1962 Code is amended by adding at the end thereof the following: "The officers of the party club shall be reported to the clerk of court of the county prior to the county convention. The reports shall be public record." The section when amended shall read as follows:

"Section 23-254. One party club may be organized in each general election voting precinct provided for by law and each of such clubs shall have a distinct title: 'The Club of the Party.' Each such club shall elect a president and one or more vice-

presidents, a secretary and treasurer, a precinct or club secretary and a district executive committeeman and may have such working committees as to it may seem expedient.

In the absence of the precinct or club district executive committeeman or in case of his inability to act, unless it is otherwise provided in the party rules, the club district executive committeeman shall designate another member of the club to perform his duties or the members of the club shall elect a club district executive committeeman to take his place.

The officers of the party club shall be reported to the clerk of court of the county prior to the county convention; any club which does not reorganize before the county convention but reorganizes thereafter as provided in Section 23-256 shall report the names of its officers to the clerk of court within seven days. The reports shall be public record."

SECTION 2. Section 23-259 amended—county conventions—time—delegates.—Section 23-259 of the 1962 Code is amended by striking the period at the end of the second sentence and inserting the following: "; or if the last preceding nominations were by convention, the representation shall be based upon the number of votes for presidential electors at the last preceding general election therefor from the precinct." The section when amended shall read as follows:

"Section 23-259. Every general election year county conventions shall be called by the county committee to meet on the first Monday in March at the county seat. The convention shall be composed of delegates elected from the clubs in the county, one delegate for every twenty-five members and major fraction thereof, based upon the number of votes polled in the first primary of the preceding general election year; or if the last preceding nominations were by convention, the representation shall be based upon the number of votes for presidential electors at the last preceding general election therefor from the precinct. The lists of delegates certified to by the president and secretary of each club shall constitute the temporary roll of the county convention."

SECTION 3. Section 23-260 amended—county conventions—election of officers and delegates.—Section 23-260 of the 1962 Code is amended by adding at the end thereof the following: "All officers except delegates shall be reported to the clerk of court of the county and to the Secretary of State prior to the State convention. The reports shall be public record." The section when amended shall read as follows:

“Section 23-260. Each county convention shall be called to order by the county chairman and shall proceed to elect a temporary president, a temporary secretary and a committee on credentials for the purpose of organizing. When organized, it shall elect a permanent president, a secretary and treasurer. It shall also elect the county chairman, the county vice-chairman and a member of the State committee from the county and as many delegates to the State convention as double the number of members from the county in the General Assembly. But county conventions at their discretion may elect double the number of delegates in which case each delegate shall have one-half vote. The secretary of the convention shall keep a record of the proceedings in the minute book.

All officers except delegates shall be reported to the clerk of court of the county and to the Secretary of State prior to the State convention. The reports shall be public record.”

SECTION 4. Section 23-262 amended—State Convention—time and officers.—Section 23-262 of the 1962 Code is amended by adding at the end thereof the following: “The State officers shall be reported to the Secretary of State within fifteen days of their election and the reports shall be public record.” The section when amended shall read as follows:

“Section 23-262. The State convention shall meet at Columbia every general election year during March at a time fixed by the State committee and announced publicly at least ten days before the meeting. The convention shall be composed of delegates elected by the county conventions, each county to be entitled to as many delegates as double the number of members in the General Assembly from the county. When the State convention assembles, it shall be called to order by the chairman of the State committee. A temporary president shall be nominated and elected by the convention, and after its organization the convention shall proceed immediately to the election of permanent officers and to the transaction of business. When the business has concluded, it shall adjourn *sine die*, or may recess. But the State chairman may recall the State convention into special session at any time he deems wise.

The officers of the State convention shall be a president, vice-president, two secretaries and a treasurer. Each county delegation to a State convention may fill any vacancies therein. Any county failing or refusing to organize under the provisions of this Title shall not have representation in the State convention. The State officers shall be

reported to the Secretary of State within fifteen days of their election and the reports shall be public record."

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R825, H2159)

No. 773

An Act To Authorize The Clerk Of Court Of Charleston County To Microfilm Certain Documents Filed In That Office, To Provide For Storage Of The Originals And To Abolish The Keeping Of The Masters Report Book And The Decree Book.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charleston County to microfilm certain clerk of court records.—The Clerk of Court of Charleston County is authorized to provide for the microfilming of all actions brought to conclusion in his office, including the old metallic case records. One copy of the film shall be retained in that office and one copy of the film shall be stored in the State Archives. The originals, which shall be produced by the clerk on request, shall be stored and properly marked in a place to be made available by the county council. With the microfilming of these documents it shall not be necessary to keep either the Masters Report Book or the Decree Book.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R828, H2272)

No. 774

An Act To Provide That The License Fees For Mobile Homes Used As Permanent Dwellings In Newberry County Shall Be Applied To The Payment Of County Taxes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. License fees of mobile homes in Newberry County to be applied to taxes.—The license fee for mobile homes used as

permanent dwellings in Newberry County, as prescribed by Act No. 881 of the Acts of 1962, shall be applied to the payment of county taxes on such mobile homes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R831, S433)

No. 775

An Act To Amend Section 37-188 Of The 1962 Code, Relating To Unearned Premium Reserves For Insurance Companies, So As To Further Provide For Premium Reserves; To Provide For A Standard Valuation Law To Include The Provisions Of Section 37-188.1, Relating To Active Life Reserves For Accident And Health Insurance; And To Repeal Section 37-188.1.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 37-188 amended—unearned premium reserves of insurance companies and Standard Valuation Law.—Section 37-188 of the 1962 Code is amended to read as follows:

“Section 37-188. (1) Every insurance company authorized to transact business in this State shall, except as to risks or policies for which reserves are required under subsections (2), (3) and (4) of this section and except for real estate title insurance policies, and subject to specific provisions of this title, maintain reserves equal to the unearned portions of the gross premiums charged on unexpired or untermiated risks and policies.

No deduction may be made from the gross unearned premium reserves except for such reserves on original premiums cancelled on risks terminated or reduced before expiration or except for the unearned premium reserves on risks reinsured (a) with solvent assuming insurance companies licensed in this State or any state of the United States or the District of Columbia and meeting standards of solvency at least equal to those required in this State or (b) with any insurance company not so licensed in an amount which, together with the amount of the credit for claim loss reserves allowed under Section 37-189, does not exceed the funds withheld under a reinsurance treaty with such unlicensed company as security for the payment of

obligations thereunder if such funds are held subject to withdrawal by and are under the control of the ceding company. Notwithstanding any other provisions of this title the Chief Insurance Commissioner may by official order or regulation prescribe the conditions by which a ceding insurance company may be allowed credit as an asset or as a deduction from unearned premium reserves for reinsurance ceded to a reinsurer not licensed in this State but for which reinsurer, upon the request of the Chief Insurance Commissioner, there is presented evidence satisfactory to him that said reinsurer meets the standards of solvency required in this State.

Premiums charged for bulk or portfolio reinsurance assumed from other insurance companies shall be included as premiums in force on the basis of the original premiums and the original terms of the policies of the ceding insurance company. Reinsurance ceded to an assuming insurance company may be deducted on the basis of original premiums and original terms except in the case of excess loss or catastrophe reinsurance which may be deducted only on the basis of actual reinsurance premiums and actual reinsurance terms.

The reserve for unearned premiums shall be computed on the annual prorata fraction basis, or, at the option of the company, on the monthly prorata fraction basis; *provided*, that the Chief Insurance Commissioner at his discretion may prescribe the basis to be used or may, if necessary, require that the reserve be computed on each respective risk from the date of issuance of the policy or may prescribe special rules for computing the reserve in the case of premiums covering indefinite terms.

In computing unearned premium reserves no credit shall be allowed as an admitted asset or as a deduction from liability to any ceding insurance company for reinsurance made, ceded, renewed or otherwise becoming effective after March 31, 1956 unless the reinsurance shall be payable by the assuming insurance company on the basis of the liability of the ceding company under a contract reinsured without diminution because of the insolvency of the ceding company.

Any such reinsurance agreement may provide that the receiver, liquidator or statutory successor of an insolvent ceding insurance company shall give written notice to the assuming insurance company of the pendency of a claim against the insolvent ceding company on the policy or bond reinsured within a reasonable time after such claim is filed in the insolvency proceeding and that during the pendency of such claim any assuming insurance company may investigate such

claim and interpose, at its own expense, in the proceeding where such claim is to be adjudicated, any defense or defenses which it may deem available to the ceding company or its receiver, liquidator or statutory successor. The expense thus incurred by the assuming company shall be chargeable, subject to the approval of the court, against the insolvent ceding company as part of the expense of liquidation to the extent of a proportionate share of the benefit which may accrue to the ceding company solely as a result of the defense undertaken by the assuming company.

If the Chief Insurance Commissioner determines that an insurer's unearned premium reserve, however computed, is inadequate, he may require the insurer to compute such reserve or any part thereof according to such other method or methods as are prescribed in the law and rulings of the Commissioner.

(2) (a) With reference to insurance against loss or damage to property except as provided in item (e) of this subsection, and with reference to all general casualty insurance, and surety insurance every insurer shall maintain an unearned premium reserve on all policies in force. (b) The Chief Insurance Commissioner may require that such reserves shall be equal to the unearned portions of the gross premiums in force after deducting reinsurance in solvent insurers effected in the manner provided in the law and rulings of the Chief Insurance Commissioner as computed on each respective risk from the policy's date of issue. If the Chief Insurance Commissioner does not so require, the portions of the gross premium in force, less reinsurance in solvent insurers, to be held as premium reserve shall be computed according to the following table:

<i>Term For Which Policy Was Written</i>	<i>Reserve For Unearned Premium</i>
1 year or less	$\frac{1}{2}$
2 years	1st year $\frac{3}{4}$ 2nd year $\frac{1}{4}$
3 years	1st year $\frac{5}{6}$ 2nd year $\frac{1}{2}$ 3rd year $\frac{1}{6}$
4 years	1st year $\frac{7}{8}$ 2nd year $\frac{5}{8}$ 3rd year $\frac{3}{8}$ 4th year $\frac{1}{8}$

5 years	1st year 9/10
	2nd year 7/10
	3rd year $\frac{1}{2}$
	4th year 3/10
Over 5 years	5th year 1/10
	pro-rata.

(c) All of such reserves may be computed, at the option of the insurer, on a yearly or more frequent prorata basis. (d) After adopting a method for computing such reserve, an insurer shall not change methods without approval of the Chief Insurance Commissioner. (e) With reference to marine insurance, premiums on trip risks not terminated shall be deemed unearned, and the Chief Insurance Commissioner may require the insurer to carry a reserve thereon equal to one hundred per cent on trip risks written during the month ended as of the date of statement.

(3) For all accident and sickness policies the insurer shall maintain an active life reserve which shall place a sound value on its liabilities under such policies and which shall not be less than the reserve according to standards set forth in regulations issued by the Chief Insurance Commissioner and, in no event, less, in the aggregate, than the prorata gross unearned premium reserve for such policies.

(4) This subsection shall be known as the Standard Valuation Law. (a) The Chief Insurance Commissioner shall annually value or cause to be valued the reserve liabilities, hereinafter in this subsection called reserves, for all outstanding life insurance policies and annuity and pure endowment contracts of every life insurance company doing business in this State, except that in the case of an alien company such valuation shall be limited to the United States business, and may certify the amount of any such reserves, specifying the mortality table, or tables, rate or rates of interest and methods, net level premium method or other, used in the calculation of such reserves. In calculating such reserves, he may use group methods and approximate averages for fractions of a year or otherwise. In lieu of the valuation of the reserves required in this subsection of any foreign or alien company, he may accept any valuation made or caused to be made by the insurance supervisory official of any state or other jurisdiction when such valuation complies with the minimum standard provided in this subsection and if the official of such state or jurisdiction accepts as sufficient and valid for all legal purposes

the certificate of valuation of the Chief Insurance Commissioner when such certificate states the valuation to have been made in a specified manner according to which the aggregate reserves would be at least as large as if they had been computed in the manner prescribed by the law of that state or jurisdiction.

(b) The minimum standard for the valuation of all such policies and contracts issued prior to March 24, 1960, shall be that provided by the laws in effect immediately prior to such date. The minimum standard for the valuation of all such policies and contracts issued on or after that date shall be the Commissioner's reserve valuation method defined in item (c) of this subsection, three and one-half per cent interest and the following tables:

(i) for all ordinary policies of life insurance issued on the standard basis, excluding any disability and accidental death benefits in such policies, the Commissioner's 1941 Standard Ordinary Mortality Table for such policies issued prior to the operative date stated in Section 37-175.7, and the Commissioner's 1958 Standard Ordinary Mortality Table for such policies issued on or after such operative date; *provided*, that for any category of such policies issued on female risks all modified net premiums and present values referred to in this subsection may be calculated according to an age not more than three years younger than the actual age of the insured,

(ii) for all industrial life insurance policies issued on the standard basis, excluding any disability and accidental death benefits in such policies, the 1941 Standard Industrial Mortality Table for such policies issued prior to the operative date stated in Section 37-175.7; for all such policies issued on or after such operative date, either the 1941 Standard Industrial Mortality Table or the Commissioner's 1961 Standard Industrial Mortality Table according to which of these tables is used to calculate adjusted premiums and present values as specified in Section 37-175.3,

(iii) for individual annuity and pure endowment contracts, excluding any disability and accidental death benefits in such policies, the 1937 Standard Annuity Mortality Table or, at the option of the company, the Annuity Mortality Table for 1949, Ultimate, or any modification of either of these tables approved by the Chief Insurance Commissioner,

(iv) for group annuity and pure endowment contracts, excluding any disability and accidental death benefits in such policies, the Group Annuity Mortality Table for 1951, any modification of such table

approved by the Chief Insurance Commissioner, or, at the option of the company, any of the tables or modifications of tables specified for individual annuity and pure endowment contracts,

(v) for total and permanent disability benefits in or supplementary to ordinary policies or contracts, for policies or contracts issued on or after January 1, 1966, the tables of Period 2 disablement rates and the 1930 to 1950 termination rates of the 1952 Disability Study of the Society of Actuaries, with due regard to the type of benefit for policies or contracts issued on or after January 1, 1961, and prior to January 1, 1966, either such tables or, at the option of the company, the Class (3) Disability Table (1926) and for policies issued prior to January 1, 1961, the Class (3) Disability Table (1926) or such other table as may be approved by the Chief Insurance Commissioner. Any such table shall, for active lives, be combined with a mortality table permitted for calculating the reserves for life insurance policies,

(vi) for accidental death benefits in or supplementary to policies, for policies issued on or after January 1, 1966, the 1959 Accidental Death Benefits Table; for policies issued on or after January 1, 1961, and prior to January 1, 1966, either such table or, at the option of the company, the Inter-Company Double Indemnity Mortality Table and for policies issued prior to January 1, 1961, the Inter-Company Double Indemnity Mortality Table or such other table as may be approved by the Chief Insurance Commissioner. Any such table shall be combined with a mortality table permitted for calculating the reserves for life insurance policies,

(vii) for any extra benefits provided in life or endowment contracts or policies under which there is payable a series of coupons or guaranteed dividends or a series of constant or variable pure endowments maturing either during the term of the contract and the continuation of the life of the insured or maturing as a series after the death of the insured, such table or basis of reserves as may be approved by the Chief Insurance Commissioner, and

(viii) for group life insurance, life insurance issued on the sub-standard basis and other special benefits, such tables as may be approved by the Chief Insurance Commissioner.

(c) Reserves according to the Commissioner's reserve valuation method, for the life insurance and endowment benefits of policies providing for a uniform amount of insurance and requiring the payment of uniform premiums shall be the excess, if any, of the present value,

at the date of valuation, of such future guaranteed benefits provided for by such policies over the then present value of any future modified net premiums therefor. The modified net premiums for any such policy shall be such uniform percentage of the respective contract premiums for such benefits that the present value, at the date of issue of the policy, of all such modified net premiums shall be equal to the sum of the then present value of such benefits provided for by the policy and the excess of sub-item (i) over sub-item (ii) as follows:

(i) A net level annual premium equal to the present value, at the date of issue, of such benefits provided for after the first policy year divided by the present value, at the date of issue, of an annuity of one per annum payable on the first and each subsequent anniversary of such policy on which a premium falls due; *provided*, however, that such net level annual premium shall not exceed the net level annual premium on the nineteen-year premium whole life plan for insurance of the same amount at an age one year higher than the age at issue of such policy.

(ii) A net one year term premium for such benefits provided for in the first policy year.

Reserves according to the Commissioner's reserve valuation method for (a) life insurance policies providing for a varying amount of insurance or requiring the payment of varying premiums, (b) annuity and pure endowment contracts or benefits, (c) disability and accidental death benefits in all policies and contracts, and (d) all other benefits, except life insurance and endowment benefits in life insurance policies, shall be calculated by a method consistent with the principles of item (c) of this subsection, except that any extra premiums charged because of impairments or special hazards shall be disregarded in the determination of modified net premiums.

(d) In no event shall a company's aggregate reserves for all life insurance policies, excluding disability and accidental death benefits, issued on or after March 24, 1960, be less than the aggregate reserves calculated in accordance with the method set forth in item (c) of this subsection and the mortality table or tables and rate or rates of interest used in calculating nonforfeiture benefits for such policies.

(e) Reserves for all policies and contracts issued prior to March 24, 1960, may be calculated, at the option of the company, according to any standards which produce greater aggregate reserves for all such policies and contracts than the minimum reserves required by the laws in effect immediately prior to such date.

Reserves for any category of policies, contracts or benefits as established by the Chief Insurance Commissioner, issued on or after March 24, 1960, may be calculated, at the option of the company, according to any standards which produce greater aggregate reserves for such category than those calculated according to the minimum standard provided in this subsection, but the rate or rates of interest used shall not be higher than the corresponding rate or rates used in calculating any nonforfeiture benefits provided for therein; *provided*, that reserves for participating life insurance policies issued on or after March 24, 1960, may, with the consent of the Chief Insurance Commissioner, be calculated according to a rate of interest lower than the rate used in calculating the nonforfeiture benefits in such policies, with the further provision that if such lower rate differs from the rate used in the calculation of the nonforfeiture benefits by more than one-half per cent the company issuing such policies shall file with the Chief Insurance Commissioner a plan providing for such equitable increases, if any, in the cash surrender values and nonforfeiture benefits in such policies as the Chief Insurance Commissioner shall approve.

Any such company which at any time shall have adopted any standard of valuation producing greater aggregate reserves than those calculated according to the minimum standard provided in this subsection may, with the approval of the Chief Insurance Commissioner, adopt any lower standard of valuation, but not lower than the minimum provided in this subsection.

(f) If the gross premium charged by any life insurance company on any policy or contract is less than the net premium for the policy or contract according to the mortality table, rate of interest and method used in calculating the reserve thereon, there shall be maintained on such policy or contract a deficiency reserve in addition to all other reserves required by law. For each such policy or contract the deficiency reserve shall be the present value, according to such standard, of an annuity of the difference between such net premium and the premium charged for such policy on contract running for the remainder of the premium-paying period."

SECTION 2. Section 37-188.1 repealed.—Section 37-188.1 of the 1962 Code is repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of February, 1964.

(R832, H1970)

No. 776

An Act To Amend Sections 61-211 And 61-212, As Amended, And Sections 61-1, 61-62, 61-105, 61-106, And 61-111 Of The 1962 Code And To Add Sections 61-47 And 61-82 To The 1962 Code, All Of Which Relate To The South Carolina Retirement System, So As To Further Provide For Definitions; To Provide For The Classification Of Members And Employers And Allowances Of Members; To Increase Contributions Of Members And Employers; And To Increase Supplements To Certain Persons.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (17) of Section 61-1 amended—average final compensation defined.—Item (17) of Section 61-1 of the 1962 Code is amended to read as follows:

“(17) ‘Average final compensation’ shall mean the average annual earnable compensation of a member during the five consecutive fiscal years, within the last ten fiscal years of his creditable service, producing the highest such average;”

SECTION 2. Section 61-1 amended—Item (25) added—Social Security break-point defined.—Section 61-1 of the 1962 Code is amended by adding Item (25) to read as follows:

“(25) ‘Social Security break-point’ shall mean the maximum amount of taxable wages under the Federal Insurance Contributions Act as from time to time in effect.”

SECTION 3. Section 61-47 added—classification of members and employers.—The 1962 Code is amended by adding Section 61-47 to read as follows:

“Section 61-47. Notwithstanding any other provisions of law governing the System, effective July 1, 1964, there shall be two classes of participating employers and two classes of members. Class One employers shall include all employers who irrevocably elect, by written notification to the Board not later than December 31, 1964, to remain, and to have members in their employ remain, under the provisions of the System as in effect on June 30, 1964. Class Two employers shall include all employers who irrevocably elect, by written notification to the Board not later than December 31, 1964, to participate, and to have members in their employ participate, under the provisions of the System as amended effective July 1, 1964. Any such notification shall become effective for all purposes as of July 1,

1964. Failure by any employer to file such notification shall be deemed an irrevocable election by the employer to be a Class One employer. In any event, the State shall be a Class Two employer. Members in the employ of a Class One employer shall be Class One members, and members in the employ of a Class Two employer shall be Class Two members. Any employer becoming such on or after July 1, 1964 shall be a Class Two employer. In the event that a member shall transfer, without break in membership, from one Class to another, the Board shall determine his benefit upon retirement in an equitable manner by uniform rules consistent herewith."

SECTION 4. Section 61-62 amended—amounts to be deducted.—Section 61-62 of the 1962 Code is amended by adding at the end thereof a new paragraph to read as follows:

"Notwithstanding the foregoing, effective July 1, 1964, the rates of such deductions shall be, without regard to a member's coverage under the Social Security Act, as follows: In the case of Class One members, three per cent of the portion of earnable compensation not in excess of the Social Security break-point, and five per cent of the portion in excess of such break-point; and, in the case of Class Two members, four per cent of the portion of earnable compensation not in excess of the Social Security break-point, and six per cent of the portion in excess of such break-point."

SECTION 5. Section 61-82 added—amounts to be contributed.—The 1962 Code is amended by adding Section 61-82 to read as follows:

"Section 61-82. Notwithstanding any other provisions of law, effective July 1, 1964, the rates of Class Two employer contributions shall be revised on the basis of actuarial valuations to reflect the additional cost resulting from the amendments effective on such date. Such revision shall be made over a three year period commencing July 1, 1964 so that at the end of such period the ultimate contribution rate of Class Two employers (currently computed to be seven and one-half per cent in the case of the State and six and one-half per cent in the case of other Class Two employers) shall be achieved in accordance with actuarial valuation. The Board shall establish such rules as it may deem necessary and equitable to all Class Two employers for this purpose."

SECTION 6. Section 61-105 amended—retirement allowances.—Section 61-105 of the 1962 Code is amended to read as follows:

“Section 61-105. (A) Upon retirement from service on or after July 1, 1964, a Class One member shall receive a service retirement allowance which shall consist of:

(1) An employee annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and

(2) An employer annuity equal to the employee annuity allowable at the age of sixty-five years or at age of retirement, whichever is less, computed on the basis of contributions made prior to the age of sixty-five years; and

(3) If he has a prior service certificate in full force and effect, an additional employer annuity which shall be equal to the employee annuity which would have been provided at age sixty-five or at age of retirement, whichever is less, by twice the contributions which he would have made during his entire period of prior service had the System been in operation and had he contributed thereunder during such entire period.

(B) Upon retirement from service on or after July 1, 1964, a Class Two member shall receive a service retirement allowance computed as follows:

(1) If the member's service retirement date occurs on or after his sixty-fifth birthday, such allowance shall be equal to one per cent of the portion of his average final compensation not in excess of the Social Security break-point, plus one and one-half per cent of the portion of such compensation in excess of such break-point, multiplied by the number of years of his creditable service.

(2) If the member's service retirement date occurs before his sixty-fifth birthday, his service retirement allowance shall be computed as in Item (1) above, but shall be reduced by five-twelfths of one per cent thereof for each month by which his retirement date precedes the first day of the month coincident with or next following his sixty-fifth birthday.

(3) Notwithstanding the foregoing provisions, any Class Two member whose creditable service commenced prior to July 1, 1964 shall receive not less than the benefit provided by subsection (A) of this section.”

SECTION 7. Section 61-106 amended—disability retirement allowances.—Section 61-106 of the 1962 Code is amended to read as follows:

“Section 61-106. (A) Upon retirement for disability on or after July 1, 1964, a Class One member shall receive a service retirement

allowance if he has attained the age of sixty years or has thirty-five or more years of creditable service. Otherwise he shall receive a disability retirement allowance which shall consist of:

(1) An employee annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and

(2) An employer annuity equal to seventy-five per cent of the employer annuity that would have been payable upon service retirement at age of sixty years had he continued in service to such age without further change in compensation.

(B) Upon retirement for disability on or after July 1, 1964, a Class Two member shall receive a service retirement allowance if he has attained the age of sixty years, otherwise he shall receive a disability retirement allowance which shall be computed as follows:

(1) Such allowance shall be equal to the service retirement allowance which would have been payable had he continued in service without further change in compensation to the age of sixty years, minus the actuarial equivalent of the contributions he would have made during such continued service.

(2) Notwithstanding the foregoing provisions, any Class Two member whose creditable service commenced prior to July 1, 1964 shall receive not less than the benefit provided by subsection (A) of this section."

SECTION 8. Option 1 of Section 61-111 amended—optional allowance.—Option 1 of Section 61-111 of the 1962 Code is amended to read as follows:

"Option 1. A reduced retirement allowance payable during the retired member's life, with the provision that if he dies within ten years from his retirement date, an amount equal to his accumulated contributions at retirement, less one one hundred and twentieth thereof for each month for which he has received a retirement allowance payment, shall be paid to his legal representatives or to such person as he shall nominate by written designation duly acknowledged and filed with the Board;"

SECTION 9. Option 4 of Section 61-111 amended—optional allowance.—Option 4 of Section 61-111 of the 1962 Code is amended to read as follows:

"Option 4. A retirement allowance of such amount that, with his benefit under Title II of the Federal Social Security Act, he will receive, so far as possible, approximately the same amount per year

before and after the earliest age at which he becomes eligible, upon application therefor, to receive a Social Security benefit. A member who makes an election in accordance with this Option shall be deemed to have made a further election of Option 1 of this section."

SECTION 10. Section 61-211 amended—additional allowance for certain employees.—Section 61-211 of the 1962 Code, as amended by Act No. 778 of 1962, is further amended by adding at the end thereof a new paragraph to read as follows:

"Notwithstanding the foregoing, said minimum shall, effective July 1, 1964, be eighty dollars per month, plus one dollar per month for each completed year of creditable service in excess of twenty years, in the case of any retired member who is not eligible to receive, upon application therefor, a primary Social Security benefit; and in no event shall any supplemental allowance become payable to any person whose membership in the South Carolina Retirement System commenced on or after July 1, 1964."

SECTION 11. Section 61-212—additional allowance for certain employees.—Section 61-212 of the 1962 Code, as amended by Act No. 778 of 1962, is further amended by adding at the end thereof a new paragraph to read as follows:

"Notwithstanding the foregoing, effective July 1, 1964, said minimum allowance shall be eighty dollars per month, plus one dollar per month for each completed year of such service in excess of twenty years, in the case of any such person who is not eligible to receive, upon application therefor, a primary Social Security benefit."

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1964.

(R833, S664)

No. 777

An Act To Make Special Provision For Cities And Towns In Marlboro County To Enter Into Contracts To Furnish Certain Utility Services Without The Corporate Limits.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Municipalities in Marlboro County may furnish utility services outside corporate limits.—All cities and towns in

Marlboro County owning water plants, sewage disposal systems or gas distribution systems, or any one or more of them, may, through the proper officials of the city or town, enter into contract with persons without the corporate limits to furnish such persons water or sewage disposal facilities, or gas, or any one or more of them, upon such terms, rates and charges as may be fixed by the contract or agreement between the parties to this effect, either for domestic or industrial purposes, or both, when in the judgment of the proper officials of the city or town it is for the best interests of the municipality so to do.

No such contract shall be for a longer period than fifty years, but any contract may be renewed from time to time for periods not exceeding fifty years, and any contracts of a similar nature heretofore entered into by any municipality in Marlboro County are hereby specifically ratified and confirmed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R835, H2184)

No. 778

An Act To Amend Sections 61-33, 61-34, 61-51 And 61-54 Of The 1962 Code, Relating To Membership And Service In The South Carolina Retirement System, So As To Advance The Date For Withdrawal Of Nonmembership Elections For Obtaining Prior Service Credit And For Membership.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 61-33 amended — employment between April 26, 1945 and December 31, 1964.—Section 61-33 of the 1962 Code is amended by striking out the date “December 31, 1952” and inserting in lieu thereof the date “December 31, 1964”, so that when amended the section shall read as follows:

“Section 61-33. All persons who were teachers or State, county or municipal employees on April 26, 1945, or who became such after this date but on or before December 31, 1964, except those specifically excluded under Section 61-35 and the persons permitted to exercise the option under Sections 61-39 to 61-41, became members as of July

1, 1945, or as of the date of last employment, if later, unless on or before December 31, 1948, they filed with the Board on a form prescribed by the Board a notice of their election not to be covered in the membership of the System and a duly executed waiver of all present and prospective benefits which would otherwise inure to them on account of their participation in the System."

SECTION 2. Section 61-34 amended—subsequent election for membership.—Section 61-34 of the 1962 Code is amended by striking the period at the end thereof and adding the following: "unless such application is made on or before December 31, 1964" so that when amended the section shall read as follows:

"Section 61-34. A teacher or employee whose membership in the System is contingent on his own election and who after December 31, 1948 had an effective election not to become a member may thereafter apply for and be entitled to membership, but no such teacher or employee shall receive prior service credit unless such application is made on or before December 31, 1964."

SECTION 3. Section 61-51 amended—claims for prior service.—Section 61-51 of the 1962 Code is amended by striking out the date "December 31, 1952" and inserting in lieu thereof the date "December 31, 1964", so that when amended the section shall read as follows:

"Section 61-51. Under rules and regulations adopted by the Board, each member who was a teacher or employee at any time prior to July 1, 1945, and who became a member on or before December 31, 1964, was required to file a detailed statement of all service as a teacher or employee rendered by him prior to July 1, 1945, for which he claimed credit."

SECTION 4. Section 61-54 amended—contributions for prior service.—Section 61-54 of the 1962 Code is amended by striking out the date "December 31, 1952" and inserting in lieu thereof the date "December 31, 1964", so that when amended the section shall read as follows:

"Section 61-54. All counties, municipalities or other political subdivisions of the State, any agencies and departments thereof including school boards and any service organization as defined in item (4) of Section 61-1 which availed themselves of the provisions of Section 61-37 on or before December 31, 1964, did so without loss or prejudice to their affected employees' or teachers' claims to prior service

credits but such electing employers and their employees or teachers shall be subject to the payment of such contributions, if any, as the Board may determine to be necessary to avoid any possible discrimination as against employers and employees or teachers coming under the terms hereof at an earlier date. But the compensation received by the employees of such service organizations shall be provided from moneys paid by the members as dues or otherwise or from funds derived from public sources. The employee contributions prescribed by this Title shall be paid from the fund of the service organization."

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R837, H2245)

No. 779

An Act Adding Section 23-212.1 To The 1962 Code So As To Make Provisions For Voters In Certain New Precincts In Chesterfield County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 23-212.1 added—provisions for voters in new Cheraw voting precincts.—Section 23-212.1 is added to the 1962 Code to read as follows :

"Section 23-212.1. (1) It shall be lawful, until the year 1968, for any qualified voter residing in the newly created Cheraw voting precincts, Nos. 1, 2 and 3, to vote in any general, special, municipal or primary election, if otherwise qualified, upon production of a registration certificate showing that he was duly registered in the former Cheraw No. 1 voting precinct on or before the fifteenth day of April, 1964.

Any voter participating in any such election under the provisions of this section must vote at the polling place in the voting precinct in which he resides. When any person has voted under the provisions of this section, one of the managers shall forthwith stamp across the back of his registration certificate the name of the precinct. Any duplicate registration certificate issued by the Board of Registration

shall be stamped with the name of the precinct in which the voter resides.

(2) The Board of Registration of Chesterfield County shall immediately prepare two additional registration books of the former Cheraw No. 1 voting precinct and immediately preceding each party primary election, until the year 1968, the Board of Registration of Chesterfield County shall furnish to the County Committee for Chesterfield County of each political party proposing to hold a primary the additional two registration books of the former Cheraw No. 1 voting precinct containing in each of the names of all electors entitled to vote at the former Cheraw No. 1 voting precinct, and immediately preceding each general election or any special election, until the year 1968, the Board of Registration of Chesterfield County shall furnish to the Commissioners of Election for Chesterfield County the additional two registration books of the former Cheraw No. 1 voting precinct containing in each the names of all electors entitled to vote at the former Cheraw No. 1 voting precinct.

(3) The Commissioners of Election or the County Committee, as the case may be, of Chesterfield County shall at each election, until the year 1968, turn over one of the additional registration books of the former Cheraw No. 1 voting precinct to the Managers of Election of the newly created Cheraw No. 2 voting precinct and the other additional registration book of the former Cheraw No. 1 voting precinct to the Managers of Election of the newly created Cheraw No. 3 voting precinct who shall be responsible for the care and custody of such books and the return thereof within three days after such election."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R839, H2262)

No. 780

An Act To Amend Section 14-1198.7 Of The 1962 Code, Relating To The Collection Of Fees By Certain Officers In Charleston County, So As To Prohibit The Clerk Of Court From Extending Credit And To Require The Clerk Of Court To Collect Outstanding Balances.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-1198.7 amended—not necessary to collect fees in advance—extension of credit.—Section 14-1198.7 of the 1962 Code is amended by striking on line three the words “*provided, however,*” and inserting in lieu thereof the following: “*provided, that no credit shall be extended by the clerk of court; provided, further,*”. The section when amended shall read as follows:

“Section 14-1198.7. Nothing contained in this article shall be construed as requiring any of the officers mentioned herein to collect fees in advance or to prevent the officers from extending credit; *provided, that no credit shall be extended by the clerk of court; provided, further, that should any officer extend credit in excess of one hundred dollars to any one party or to any one attorney or firm, such officer shall, at the end of the calendar year subsequent to the year in which such credit was extended, be liable to the county for any excess credit so extended and not collected.*”

SECTION 2. Clerk of court to collect money due his office.—The clerk of court shall proceed immediately to collect all outstanding balances due his office and after July 1, 1964 shall refuse to file any summons, complaint or petition or to handle any miscellaneous item for any attorney or person indebted to his office.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R840, H2263)

No. 781

An Act To Amend Section 27-74.1 Of The 1962 Code Relating To Fees And Costs In The Office Of The Clerk Of Court For Charleston County, So As To Further Provide Therefor, And To Make The Provisions Applicable In The Charleston County Court.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 27-74.1 amended—clerk of court fees for Charleston County.—Section 27-74.1 of the 1962 Code is amended to read as follows:

“Section 27-74.1. The fees and commissions of the clerk of the circuit court of Charleston County shall be as set forth in this section,

except that if the fee for any service is not set forth in this section, then such fee shall be as provided by general law:

(1) For the filing of a summons, petition or other first pleading, ten dollars, payable at the time of filing;

(2) Such fee shall cover all items in connection with the action, except for furnishing certified copies of any paper, and for the commission provided for in paragraph (5). Upon request, the clerk shall furnish two certified copies of any final judgment, decree or order to the plaintiff at no additional fee;

(3) Miscellaneous items: Recording any certificate, such as birth, military discharge, notary commission, et cetera, fifty cents; furnishing certified copy of any certificate, one dollar; recording transcript of judgment, one dollar and fifty cents; recording lis pendens, single, one dollar, plus fifty cents for each additional defendant and fifty cents for each additional parcel; guardian ad litem, filing petition and order, two dollars and fifty cents; all payable at the time of the transaction;

(4) No charge shall be made for the swearing of magistrates, constables or other officials nor for entering the satisfaction of a judgment; and

(5) For moneys paid out by the court, a commission of two per cent on the first five hundred dollars and no other commissions.

No fee shall be charged a client of the Legal Aid Society of Charleston, if the society shall have filed a certificate signed by its president, certifying that the client cannot afford to pay the fee of the clerk of court.

The wilful or intentional collection by the clerk of any fee, payment or gratuity as compensation for any service performed by him as clerk, other than as provided in this section, shall be cause for his removal from office."

SECTION 2. Fees for pending actions.—All actions presently pending shall be paid for at the time and in the amount previously prescribed by law.

SECTION 3. Application of act.—The provisions of this act shall apply to the Charleston County Court.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R841, H2265)

No. 782

An Act To Amend An Act Of 1964 Bearing Ratification No. 713, Providing For The County Board Of Commissioners Of Dillon County To Borrow Money And Sell Property, So As To Provide For The Payment Of Borrowed Money.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 702 of 1964 amended—Dillon County may borrow money.—Section 1 of the Act of 1964 bearing Ratification No. 713 is amended by adding at the end of the section the following: "The chairman of the board of county commissioners and the county treasurer shall execute a note for such loan which shall be a lien on so much of the taxes to be raised during the year 1964 as will retire the loan. The full faith, credit and taxing power of the county are hereby irrevocably pledged for the payment of the indebtedness provided for in this act." The section when amended shall read as follows:

"Section 1. The Board of County Commissioners of Dillon County is hereby authorized to borrow an amount not to exceed the funds appropriated for the fiscal year 1963-64 in the county appropriation act which have not been expended at the time of the borrowing. The money borrowed shall be used to meet obligations of the county appropriation act. The chairman of the board of county commissioners and the county treasurer shall execute a note for such loan which shall be a lien on so much of the taxes to be raised during the year 1964 as will retire the loan. The full faith, credit and taxing power of the county are hereby irrevocably pledged for the payment of the indebtedness provided for in this act."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R843, H2275)

No. 783

An Act To Amend Section 32-1161 Of The 1962 Code, Which Provides That Certain Counties File Vital Statistics Reports With County Health Departments, So As To Make The Provisions Of This Section Applicable To Charleston County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 32-1161 to apply to Charleston County.—The provisions of Section 32-1161 of the 1962 Code shall also be applicable to Charleston County.

SECTION 2. Vital statistics reports to be transferred to county health department.—Vital statistics reports now in the custody of the Clerk of Court of Charleston County shall be transferred to the custody of the county health department. If the county health department finds that any of such records are obsolete or not needed, they may be destroyed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R844, H2283)

No. 784

An Act To Create The Lugoff Water District Of Kershaw County And To Prescribe Its Area And Functions; To Provide For Its Governing Body, Their Terms, Powers And Duties; And To Provide Penalties For Certain Actions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lugoff Water District of Kershaw County created.—There is hereby created a body corporate and politic of perpetual succession to be known as Lugoff Water District of Kershaw County (hereinafter called the district). It shall be the purpose and function of the district to acquire, construct and operate a waterworks system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select, to provide a flow of water through pipes to the community of Lugoff and to such other domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as herein provided. To this end the district shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The

water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

SECTION 2. Service area.—The district shall include and be comprised of the following territory which shall be known as the service area:

Beginning at the intersection of the centerline of the Seaboard Railroad and Gillies Ditch and proceeding with the center of Gillies Ditch downstream to the western waters edge of the Wateree River, thence with the West bank of the Wateree River Northward (upstream) to a point on the West bank of the Wateree River being one mile North of the center of Five and Twenty Creek, thence running parallel to and one mile North of Five and Twenty Creek Westward to a point where said line intersects the center of South Carolina Highway No. 34, thence running due South approximately four and one-half ($4\frac{1}{2}$) miles to the centerline of the Seaboard Railroad, thence running Northeast with the centerline of said railroad to the intersection with the center of Gillies Ditch, being the point of beginning.

SECTION 3. District to be managed by a board of directors.—

The district shall be operated and managed by a board of directors to be known as the "Lugoff Water District Board of Kershaw County" which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the Kershaw County Legislative Delegation, including the Senator. The delegation shall recommend only such persons as were nominated at a meeting of the residents of these areas and certified to the delegation by the chairman and secretary of the meeting. The meeting shall be advertised in a local newspaper for at least one week giving the time and place of the meeting. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualified. The initial terms of office shall begin as of the effective date of this act. Any vacancy shall be filled in like manner

as the original appointment for the unexpired portion of the term. Immediately after appointment, the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The offices of the secretary and treasurer may be combined in the discretion of the board.

SECTION 4. Powers and duties.—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limitation, the following:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for meetings.
- (5) To maintain a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.
- (8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.
- (9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.
- (10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.
- (11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.
- (12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations or public bodies or agencies.
- (13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.
- (14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.
- (15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(16) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided*, that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor Kershaw County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly

worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(j) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems, within Kershaw County, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

SECTION 5. Rates to be regulated.—The rates charged for services furnished by the system, as constructed improved, enlarged and extended shall not be subject to supervision or regulation by any state bureau, board, commission, or like instrumentality or agency thereof. *Provided*, however that the Power of Eminent Domain conferred hereunder shall not extend to such property of any public utility as the utility could have acquired under its Power of Eminent Domain.

SECTION 6. Exempt from taxes.—(1) Bonds, notes or other evidence of indebtedness issued pursuant to Section 4 (22) of this act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows: "The principal of and interest on this

(bond, note, or other evidence of indebtedness) are exempted from any and all State, county, and municipal and other taxation whatsoever under the laws of the State of South Carolina.”

(2) All property owned by Lugoff Water District of Kershaw County shall be exempt from all *ad valorem* taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 7. Fiscal year, audit and annual report.—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Kershaw County, and with the Secretary to the Legislative Delegation of Kershaw County.

SECTION 8. Penalties for unlawful acts.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 9. Municipalities may purchase water.—The municipalities of Kershaw County and all public bodies and public agencies now or hereafter operating water distribution systems in Kershaw County shall be fully empowered to enter into contracts to buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R846, H2285)

No. 785

An Act To Repeal Article 17 Of Chapter 8 Of Title 28 Of The 1962 Code, Relating To The Williamsburg County Fish And Game Commission.

Be it enacted by the General Assembly of the State South Carolina :

SECTION 1. Article 17, Chapter 8 of Title 28 repealed.—Article 17 of Chapter 8 of Title 28 of the 1962 Code is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R847, H2294)

No. 786

An Act To Authorize The Board Of Commissioners Of Anderson County To Regulate Parking On County-Owned Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson County to regulate parking on county property.—The Board of Commissioners of Anderson County may regulate parking on county-owned property and shall provide individual parking spaces for employees of the Anderson County Health Department and the employees who work in the Agriculture Building.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R849, H2301)

No. 787

An Act To Amend Sections 65-3405.4 And 65-3405.9, As Amended, And Section 65-3405.12, Of The 1962 Code, Relating To The Charleston County Board Of Assessors, So As To Change The Date That Certain Actions Or Duties Shall Be Performed.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (7) of Section 65-3405.4 amended—powers and duties of board.—Subsection (7) of Section 65-3405.4 of the 1962 Code, as amended, is further amended by striking “1964” and inserting “1965” so that, when so amended, the subsection shall read :

“(7) Until 1965 assess only property not heretofore on the tax books, or property whose value may have changed by reason of renovation, new construction, destruction, or type of use;”.

SECTION 2. Subsection (8) of Section 65-3405.4 amended—powers and duties of board.—Subsection (8) of Section 65-3405.4 of the 1962 Code, as amended, is further amended by striking “1964” and inserting “1965” so that, when so amended, the subsection shall read :

“(8) Not reassess any taxable property in the county except as authorized in subsection (7) until 1965, in and for which year the assessments authorized by this article shall become effective; and”.

SECTION 3. Section 65-3405.9 amended—limit on increased revenue.—Section 65-3405.9 of the 1962 Code, as amended, is further amended by striking on lines five and nine “1963” and inserting “1964” and by striking on lines three, seven, ten and thirteen “1964” and inserting “1965” so that, when so amended, the section shall read :

“Section 65-3405.9. On completion of the reassessment, as provided for in this article, the total gross revenue for which tax notices are issued in 1965 shall not exceed by more than 4.7 per cent the total revenue for which tax notices shall be issued by the county auditor for 1964.

All appropriating bodies in Charleston County shall adjust their millage to comply so that their total revenue shall not exceed in 1965 by more than 4.7 per cent the total gross revenue for which tax notices shall be issued in 1964.

The foregoing limit on increased revenue for 1965 shall not apply to levies necessary to pay for the cost of the reassessment and mapping program provided for in this article; nor shall it apply to bond issue levies effective in 1965; nor shall it apply to any special levy approved by the voters or directed by an act of the State legislature; nor shall it apply to levies for school purposes which are sub-

ject to the approval of the Charleston County Legislative delegation.”

SECTION 4. Section 65-3405.12 amended—notices of assessments—hearings—appeals.—Section 65-3405.12 of the 1962 Code, as designated in Act No. 26 of 1963, is amended by striking on line three “1964” and inserting “1965”; by striking “1963” on lines eight and fourteen and inserting “1964”; and by striking on lines nineteen, twenty-two and twenty-four “1964” and inserting “1965” so that when so amended, the section shall read:

“Section 65-3405.12. (a) Notices of the initial assessments under the Reassessment Program, which are to become effective for tax purposes under this article on January 1, 1965, shall be mailed by the tax assessor or administrator to all property owners in Charleston County on or before July 1, 1963, and as far in advance of this date as may be convenient.

(b) If any property owner or his agent objects to such valuation and assessment, he may on or before August 1, 1964, apply to the tax assessor or administrator for a hearing. Such hearing shall be conducted by the tax assessor or administrator or his duly authorized deputy in accordance with Section 65-1920.

(c) Appeals from the decision of the tax assessor or administrator shall be taken before the board of assessors, acting as a board of appeals, and may be taken at any time prior to August 15, 1964, and thereafter may be taken only within ten days after the decision of the tax assessor or administrator, as provided in Section 65-1920. Such appeals except as provided by this article shall be governed by Sections 65-1923 and 65-1924.

(d) Notices of assessments for 1965 which are identical to the assessments under the Reassessment Program and which were mailed in accordance with the provisions of this article, shall for the year 1965 be final and binding on the property owners, unless modified on appeal as provided by this section, and no such assessment shall be appealable in 1965, except upon the ground of destruction of value or change in use.”

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R850, S38)

No. 788

An Act To Create The Colleton County Resource And Development Board; To Provide For Its Powers And Duties; And To Amend Sections 14-400.201, 14-400.202, 14-400.203, 14-400.204, 14-400.205 And 14-400.206 Of The 1962 Code, Relating To The Colleton County Development Board, So As To Abolish The Colleton County Development Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-400.201 amended—Colleton County Resource and Development Board established.—Section 14-400.201 of the 1962 Code is amended to read as follows :

“Section 14-400.201. The Colleton County Resource and Development Board is hereby established and shall consist of seven members. The members of the Board, and members to fill any vacancies which at any time may arise by expiration of the terms or otherwise, shall be appointed by the Governor upon the written recommendation of the Senator and at least one member of the House of Representatives from Colleton County.”

SECTION 2. Section 14-400.202 amended—terms.—Section 14-400.202 of the 1962 Code is amended to read as follows :

“Section 14-400.202. Of the first members of the Development Board, two shall serve for one year, two for two years and three for three years. After the first terms, the terms of office shall be for three years.”

SECTION 3. Section 14-400.203 amended—county officials to co-operate with board.—Section 14-400.203 of the 1962 Code is amended to read as follows :

“Section 14-400.203. All officials of Colleton County shall co-operate with the Board when requested to do so.”

SECTION 4. Section 14-400.204 amended—meetings—compensation—officers—employees—attorney.—Section 14-400.204 of the 1962 Code is amended to read as follows :

“Section 14-400.204. The Board shall hold such meetings at such times and places as may be determined by the chairman or a majority of the members present, but with at least one meeting to be held every two months. The members shall receive per diem as provided for boards and commissions not to exceed one meeting per month

and mileage at the rate of seven cents per mile of travel for attending regular meetings of the Board. The Board shall elect a chairman, a vice-chairman and a secretary from its membership and a director who shall not be a member of the Board. The Board shall determine the number of its employees, fix their compensation and define their duties. The county attorney shall serve as attorney for the Board."

SECTION 5. Section 14-400.205 amended—powers and duties.—Section 14-400.205 of the 1962 Code is amended to read as follows:

"Section 14-400.205. The general powers, duties and functions of the Board shall be the development of every section of Colleton County, the encouragement, solicitation and establishment of new industries, and the promotion of tourists, industrial highways and agriculture."

SECTION 6. Section 14-400.206 amended—Item (13) deleted.—Section 14-400.206 of the 1962 Code is amended by deleting Item (13).

SECTION 7. To have powers and duties of Colleton County Development Board.—All powers, duties and provisions of the Colleton County Development Board are hereby devolved upon the Colleton Resource and Development Board.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1964.

(R851, S549)

No. 789

An Act To Provide For The Appointment Of An Additional Member Of The Executive Committee Of The State Board Of Health Who Shall Be Recommended By The South Carolina Association Of Veterinarians.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Additional member to be appointed to executive committee of State Board of Health.—In addition to the members of executive committee of the State Board of Health, as provided by

Section 32-5 of the 1962 Code, a member of the committee shall be appointed by the Governor upon the recommendation of the South Carolina Association of Veterinarians. The term of the original appointee shall terminate at the same time as the other members of the executive committee and his successor shall be appointed for a full seven year term.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1964.

(R852, S552)

No. 790

An Act To Create And Establish Forestry Districts As Authorized By The Amendment To Section 34 Of Article III Of The Constitution Of The State Of South Carolina, 1895, Empowering The General Assembly To Divide The State Into Forestry Districts, Ratified February 13, 1963, For Fire Protection Of The Forests Of The State, And To Validate The Provisions Of Section 29-101 Through Section 29-105.3 Of Title 29, Forestry, Chapter 6, Local Provisions; Fire Protection, Volume 7, Pages 186-192, Code Of Laws Of South Carolina, 1962, Together With The Validation Of Act No. 125 "An Act Making It Unlawful To Start Fires In Lee County Except Under Certain Conditions And Providing Penalties For Violations.", Approved April 18, 1963, To Take Effect On July 1, 1963, Acts And Joint Resolutions Of The General Assembly Of The State Of South Carolina, 1963, Page 125, For The Promotion Of Good Forestry Practices And The Progress Of Forestry In South Carolina.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Forestry districts established.—There are hereby created and established forty-six several respective forestry districts for fire protection of the forests of South Carolina. Each of the several respective forestry districts shall be composed of one of the several respective counties of the State of South Carolina, and shall be as follows and so numbered and designated, to wit:

Forestry District No. 1 Abbeville County
Forestry District No. 2 Aiken County

Forestry District No. 3	Allendale County
Forestry District No. 4	Anderson County
Forestry District No. 5	Bamberg County
Forestry District No. 6	Barnwell County
Forestry District No. 7	Beaufort County
Forestry District No. 8	Berkeley County
Forestry District No. 9	Calhoun County
Forestry District No. 10	Charleston County
Forestry District No. 11	Cherokee County
Forestry District No. 12	Chester County
Forestry District No. 13	Chesterfield County
Forestry District No. 14	Clarendon County
Forestry District No. 15	Colleton County
Forestry District No. 16	Darlington County
Forestry District No. 17	Dillon County
Forestry District No. 18	Dorchester County
Forestry District No. 19	Edgefield County
Forestry District No. 20	Fairfield County
Forestry District No. 21	Florence County
Forestry District No. 22	Georgetown County
Forestry District No. 23	Greenville County
Forestry District No. 24	Greenwood County
Forestry District No. 25	Hampton County
Forestry District No. 26	Horry County
Forestry District No. 27	Jasper County
Forestry District No. 28	Kershaw County
Forestry District No. 29	Lancaster County
Forestry District No. 30	Laurens County
Forestry District No. 31	Lee County
Forestry District No. 32	Lexington County
Forestry District No. 33	Marion County
Forestry District No. 34	Marlboro County
Forestry District No. 35	McCormick County
Forestry District No. 36	Newberry County
Forestry District No. 37	Oconee County
Forestry District No. 38	Orangeburg County
Forestry District No. 39	Pickens County
Forestry District No. 40	Richland County
Forestry District No. 41	Saluda County
Forestry District No. 42	Spartanburg County

Forestry District No. 43	Sumter County
Forestry District No. 44	Union County
Forestry District No. 45	Williamsburg County
Forestry District No. 46	York County

Each forestry district enumerated and designated herein shall have the same territory and territorial boundaries as the county which it represents and in which it is located.

SECTION 2. General Assembly may enact fire protection laws.

—The General Assembly may enact fire protection laws to protect the forests in each of the several respective forestry districts of the State as herein enumerated and designated and as authorized and provided by the amendment to Section 34 of Article III, of the State Constitution of 1895, ratified February 13, 1963, by Act No. 28, "An Act To Ratify The Amendment To Section 34 of Article III Of the Constitution Of This State, Relating To The Prohibition Of Special Laws, So As To Empower The General Assembly To Divide The State Into Forestry Districts And To Enact Legislation For The Protection Of Forestry In The Districts," Acts and Joint Resolutions of the General Assembly of the State of South Carolina, 1963, page 23.

SECTION 3. Districts may be combined.—The General Assembly may combine any two or more of the forestry districts herein enumerated and designated into a compact forestry district and likewise may combine a forestry district or forestry districts with a compact forestry district and, also compact forestry districts with compact forestry districts. *Provided*, that the forestry districts or the compact forestry districts so combined, as herein provided, are contiguous. *Provided*, further, that the fire protection laws of the forests of any compact forestry district are equal and uniform throughout such compact forestry district. The first compact forestry district created and established by combining two or more contiguous forestry districts, as herein provided, for fire protection of the forests of such compact forestry district by equal and uniform fire protection laws of the forests throughout the compact forestry district shall be designated and enumerated as compact forestry district No. 1, and any following compact forestry districts shall be successively designated and enumerated in numerical order. The remaining forestry districts each composed of a single county shall be renumbered appropriately in successive numerical order as herein provided.

SECTION 4. Certain code sections and acts declared legal—application of certain code sections and acts.—The terms and provisions of Title 29, Forestry, Chapter 6, Local Provisions; Fire Protection, Volume 7, pages 163-192, Code of Laws of South Carolina, 1962, particularly the following code sections, to wit:

29-101. Permit required to start fire on certain lands between October 15 and May 15; Aiken County.

29-101.1. Same; Charleston and Marlboro Counties.

29-101.2. Same; Clarendon and Williamsburg Counties.

29-102. Same; Georgetown County.

29-103. Same; Greenville County.

29-104. Same; Horry County.

29-105. Same; Orangeburg County.

29-105.1. Permit required to start fire on certain land in Chesterfield County.

29-105.2. Notice to State Forester, authorization from owner and precautions required to start fire on certain lands; Beaufort and Colleton Counties.

29-105.3. Same; Hampton and Jasper Counties.,

are hereby validated and declared legal in all respects, and shall remain in full force and effect until amended or repealed. Henceforth the reference to:

- (a) Aiken County by Code Section 29-101 shall be and apply to Forestry District No. 2;
- (b) Charleston County by Code Section 29-101.1 shall be and apply to Forestry District No. 10;
Marlboro County by Code Section 29-101.1 shall be and apply to Forestry District No. 34;
- (c) Clarendon County by Code Section 29-101.2 shall be and apply to Forestry District No. 14;
Williamsburg County by Code Section 29-101.2 shall be and apply to Forestry District No. 45;
- (d) Georgetown County by Code Section 29-102, shall be and apply to Forestry District No. 22;
- (e) Greenville County by Code Section 29-103 shall be and apply to Forestry District No. 23;
- (f) Horry County by Code Section 29-104 shall be and apply to Forestry District No. 26;
- (g) Orangeburg County by Code Section 29-105 shall be and apply to Forestry District No. 38;

- (h) Chesterfield County by Code Section 29-105.1 shall be and apply to Forestry District No. 13;
- (i) Beaufort County by Code Section 29-105.2 shall be and apply to Forestry District No. 7;
Colleton County by Code Section 29-105.2 shall be and apply to Forestry District No. 15;
- (j) Hampton County by Code Section 29-105.3 shall be and apply to Forestry District No. 25;
Jasper County by Code Section 29-105.3 shall be and apply to Forestry District No. 27.

The terms and provisions of Act No. 125, "An Act Making It Unlawful To Start Fires In Lee County Except Under Certain Conditions And Providing Penalties For Violations," approved April 18, 1963, to take effect July 1, 1963, Acts and Joint Resolutions of the General Assembly of the State of South Carolina, 1963, page 125, are hereby validated and declared legal in all respects, and shall remain in full force and effect until amended or repealed; and henceforth reference to Lee County by the act shall apply to Forestry District No. 31.

SECTION 5. Present laws to apply to districts.—The State laws in force on the effective date of this act affecting forestry shall, until changed, apply to all of the forestry districts and compact forestry districts of the State, except where otherwise specified, and all laws of the State thereafter enacted shall apply to the entire State except where otherwise specified.

SECTION 6. Enforcement of forestry laws.—It shall be the positive duty of all sheriffs, deputy sheriffs, constables, rural policemen, and special officers to actively cooperate with the South Carolina Commission of Forestry and the State Forester in the enforcement of the forestry laws of the State.

SECTION 7. Repealed.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1964.

(R854. S675)

No. 791

An Act To Require Licenses And Bonds For Persons Cleaning Septic Tanks, Painting Roofs, Applying Siding And Controlling Or Exterminating Pests In Saluda County; To Provide Penalties For Violations; And To Repeal Section 56-1212.3 Of The 1962 Code, Relating To Licensing For Roof Painters In Saluda County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Licenses required for persons engaged in certain businesses in Saluda County.—In Saluda County it shall be unlawful for any person engaged in the business of cleaning septic tanks, painting roofs, applying siding to buildings or treating buildings for the control or extermination of pests to perform such services without first securing from the clerk of court of the county a license for which shall be paid annually the sum fixed by the governing body of the county, the proceeds of which shall be placed in the general fund of the county. Before such license is issued, the licensee shall post a bond to be executed by two sureties in the amount of five thousand dollars to be posted with the clerk of court, conditioned that the licensee shall deal fairly and equitably with all parties for whom the licensee performs services. Such bond shall be for the benefit and protection of all parties in the county with whom such licensee may deal, but the aggregate liability of the sureties on such bond, to all parties, shall in no event exceed the amount of the bond. The provisions of this section shall not apply to residents of the county where such service is performed or to any person licensed by a municipality within the county.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than one thousand dollars or imprisonment for not more than one year, or both, in the discretion of the presiding judge.

SECTION 2. Section 56-1212.3 repealed.—Section 36-1212.3 of the 1962 Code is hereby repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1964.

(R855, S596)

No. 792

An Act To Amend Sections 32-931, 32-933, 32-969, 32-970 And 32-972 Of The 1962 Code, Relating To State Mental Health Facilities, So As To Provide That The South Carolina State Hospital At State Park Shall Be Known As The Palmetto State Hospital; To Provide That A Building At The State Penitentiary May Be Designated As A Facility Of The South Carolina Department Of Mental Health; To Provide At A State Hospital For The Admission, Return, Retention, Notification Of Recovery Of Persons Charged With Crimes And For The Discharge Of A Patient From A State Hospital Upon Request.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (1) of Section 32-931 amended—two State Hospitals to be maintained.—Item (1) of Section 32-931 of the 1962 Code is amended by striking beginning on line 1 of the item “, comprising two divisions, one at Columbia, and one” and inserting “at Columbia and Palmetto State Hospital” and by striking the comma on line two. The item when amended shall read as follows:

“(1) The South Carolina State Hospital at Columbia and Palmetto State Hospital at State Park shall be maintained for the care and treatment of persons who are mentally ill and those persons accused of crime who have been admitted to the hospital in accordance with the provisions of Section 32-969;”.

SECTION 2. Section 32-933 amended—building at Penitentiary may be designated as a mental health facility.—Section 32-933 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 32-933. The Commission may, in mutual agreement with the authorities of the South Carolina Department of Corrections, designate any building or portion thereof at the State Penitentiary as a facility of the South Carolina Department of Mental Health, and may, whenever, in its opinion, such would contribute to the patient’s safety, care or treatment or to the safety, care or treatment of other patients, transfer to such buildings or parts thereof any patient admitted under Section 32-969. The Department of Mental Health shall have primary responsibility for the medical and psychiatric care and treatment of such patients, but the Department of Corrections shall have primary responsibility for the maintenance and security of all such patients.”

SECTION 3. Section 32-969 amended—persons charged with crimes may be admitted to a State hospital.—Section 32-969 of the 1962 Code is amended by striking on line 2 and beginning on line 8 “the State Hospital” and inserting “a State hospital”. The section when amended shall read as follows:

“Section 32-969. Any judge of the circuit court, county court or juvenile and domestic relations court may order admitted to a State hospital any person charged with the commission of any criminal offense who shall, upon the trial before him, be adjudged mentally ill or regarding whom there is a question as to the relation of mental illness to the alleged crime, whether this question is raised by the prosecution or defense or appears to the judge from any evidence brought before him or upon his own recognition. Any such person ordered admitted shall be transported to and from a State hospital by law enforcement officers.”

SECTION 4. Section 32-970 amended—disposition of such person after thirty days.—Section 32-970 of the 1962 Code is amended by striking beginning on line 3 “the State Hospital” and by striking on line 7 “the State Hospital” and inserting “a State hospital” in both places. The section when amended shall read as follows:

“Section 32-970. At the end of thirty days any such person shall be returned to the court if found mentally competent or, if he is found mentally ill, then the superintendent of a State hospital shall certify such finding to the court and shall retain the person as a patient subject to the further orders of the court. At any time thereafter upon the patient’s recovery, the court shall be notified and shall advise the superintendent of a State hospital as to further disposition of such person.”

SECTION 5. Section 32-972 amended—discharge of patients upon request.—Section 32-972 of the 1962 Code is amended by striking in the first proviso “the State hospital” and inserting “a State hospital” and by striking on line 3 of the second proviso “the” and inserting “a State”. The section when amended shall read as follows:

“Section 32-972. Any patient confined under the provisions of Section 32-954 or 32-956 who requests in writing to be discharged or whose discharge is requested in writing by the person who made the application for his admission or by his spouse, adult next of kin or legal guardian or friend shall be discharged within seven days after receipt of the request; *provided*, that such request may be denied

by the superintendent of a State hospital if the request be made sooner than thirty days after admission; and *provided, also*, that upon application to the probate court supported by a certification by the superintendent of a State hospital that in his opinion discharge would be unsafe for the patient or for others, discharge may be postponed for a period, not to exceed fifteen days, which the court may determine to be necessary for the commencement of proceedings for a judicial determination pursuant to Sections 32-958 to 32-967."

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1964.

(R856, S597)

No. 793

An Act To Amend Sections 32-1034.26, 32-1034.27 And 32-1055 Of The 1962 Code, Relating To Community Mental Health Boards, And Transfers Of Mental Patients Pursuant to the Interstate Compact On Mental Health, So As To Provide That Two Members Of Such Boards Shall Be Medical Doctors, That The Boards Shall Be Corporate Bodies And To Further Provide For Transfer Proceedings.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 32-1034.26 amended—local units to establish boards—members — appointments — terms — vacancies.—Section 32-1034.26 of the 1962 Code is amended by adding on line nine after the word "public." the following proviso: "*Provided*, that at least two members of the board shall be medical doctors, licensed to practice medicine in this State." The section when amended shall read as follows:

"Section 32-1034.26. Every county, city, town or political subdivision, or combination thereof, establishing a community mental health services program shall, before it may come within the provisions of this article, establish a community mental health board to be made up of not less than seven nor more than fifteen members. Membership of the boards, so far as may be practicable, shall be representatives of local health departments, medical societies, county welfare boards, hospital boards and lay associations concerned with mental health as

well as labor, business and civic groups and the general public. *Provided*, that at least two members of the board shall be medical doctors, licensed to practice medicine in this State. The members shall be appointed by the Governor, upon the recommendation of a majority of the members of the legislative delegations of the counties participating. The number of members representing each county shall be proportional to its share of the budget. The term of office of each member of the community mental health board shall be for four years and until his successor is appointed, except that of the members first appointed, one third shall be appointed for a term of two years, one third for a term of three years and one third for a term of four years. Vacancies shall be filled for the unexpired term in the same manner as original appointments. Any member of a board may be removed by the appointing authority for neglect of duty, misconduct or malfeasance in office, after being given a written statement of charges and an opportunity to be heard thereon. Any person may serve more than one term but not consecutively."

SECTION 2. Item (1) of Section 32-1034.27 amended—powers and duties.—Item (1) of Section 32-1034.27 of the 1962 Code is amended by adding at the end thereof the following: "and it shall be a body corporate in deed and in law with all the powers incident to corporation;". The item when amended shall read as follows:

"(1) Be the administrative agency for the community mental health services program; and it shall be a body corporate in deed and in law with all the powers incident to corporation;".

SECTION 3. Section 32-1055 amended—legal residents not to be transferred without consent.—Section 32-1055 of the 1962 Code is amended by adding at the end thereof the following provisos: *Provided*, that no person, a legal resident of this State, shall be transferred to another state without written consent of at least one of the following: his or her adult next of kin, committee, custodian or legal guardian; *provided*, further, that if there is no adult next of kin, committee, custodian or legal guardian, the compact administrator is authorized to initiate transfer proceedings."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1964.

(R857, S618)

No. 794

An Act To Amend Section 61-601 Of The 1962 Code, Relating To Retirement Benefits Of Persons In The Employment of Dillon County For Forty Years, So As To Reduce The Number Of Years Of Employment And To Provide For The Employee To Designate A Dependent To Receive Death Benefits.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 61-601 amended—retirement benefits for certain employees of Dillon County.—Section 61-601 of the 1962 Code is amended by striking the word “forty” on line 1 and inserting in lieu thereof the word “thirty-six”, by striking the word “fortieth” on lines 5 and 7 and inserting in lieu thereof the word “thirty-sixth”, by striking on line 9 between the words “spouse” and “shall” “if any, of such employee” and inserting in lieu thereof the following: “or if there be no surviving spouse then one dependent designated by the employee” and by striking beginning on line 10 “Such compensation shall be paid until the death or remarriage of such surviving spouse.” and inserting in lieu thereof “Upon the remarriage of the surviving spouse no compensation shall be paid.” The section when amended shall read as follows :

“Section 61-601. Any employee of Dillon County who has thirty-six or more years of continuous service in the employ of the county, whether the office or position he holds is filled by appointment or by election, shall be retired at full pay upon the expiration of the term of office during which he completes his thirty-sixth year of continuous service; or, if he so desires, any such employee may retire at full pay at any time after the completion of his thirty-sixth year of continuous service. In the event of the death of any such employee, whether before or after his retirement, the surviving spouse, or if there be no surviving spouse then one dependent designated by the employee shall be paid compensation at one-half the rate to which such employee would have been entitled. *Provided*, that the amount of the retirement pay shall not exceed twenty-three hundred dollars a year to the employee or fifteen hundred dollars a year to the surviving spouse or the designated dependent. Upon the remarriage of the surviving spouse no compensation shall be paid. The benefits provided for in this section shall be paid from the general fund of Dillon County, and all such benefits shall be in addition to any other benefits provided by any other law or retirement plan.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1964.

(858, S663)

No. 795

An Act To Amend Act No. 192 Of 1963, Relating To Magistrates And Magisterial Districts In Anderson County, So As To Further Provide For The Magistrates In Magisterial District No. 5.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 192 of 1963 amended—magisterial districts in Anderson County designated.—Section 1 of Act No. 192 of 1963 is amended by striking the the last six lines of the section and inserting in lieu thereof the following:

“District Five (Magistrates 1 & 2)—Anderson City Wards 1 through 7, Appleton Mill, Equinox, Orr Mill, Homeland Park, Riverside Toxaway, Centerville, Edgewood, Hopewell, Hammond, Rock Mills, Green Pond and Gluck Mill.”

The section when amended shall read as follows:

“Section 1. On and after February 1, 1965, there shall be only the following magisterial districts in Anderson County, which districts shall be comprised of the area included in the specified voting precincts or wards and any other precinct or wards which may be later added:

District One (Area 1)—Piedmont, Simpsonville, Concrete, Three & Twenty, Mountain View and Brushy Creek;

District One (Area 2)—Pelzer No. 1, Pelzer No. 4, West Pelzer and White Plains;

District One (Area 3)—Williamston, Williamston Mill, Piercetown, Bowling Green and Cedar Grove.

District Two (Area 1)—Belton, Belton Mill, Blair Mill, Toney Creek, Shirleys Store, Rock Springs, Neals Creek, Craytonville and Broadway;

District Two (Area 2)—Honea Path, Chiquola, McAdams, Friendship, Barkers Creek, Wrights Store, Saylors Crossroads and High Point.

District Three (Area 1)—Iva, Jackson Mill, Corner and Hall;

District Three (Area 2)—Star, West Savannah, Grove School, Flat Rock and Mountain Creek.

District Four (Area 1)—Pendleton, Lafrance, Mt. Tabor, Sandy Springs, Bishops Branch, Denver, Melton, Walker McEimoyle and Five Forks;

District Four (Area 2)—Townville, Fork 1 and Fork 2.

District Five (Magistrates 1 & 2)—Anderson City Wards 1 through 7, Appleton Mill, Equinox, Orr Mill, Homeland Park, Riverside Toxaway, Centerville, Edgewood, Hopewell, Hammond, Rock Mills, Green Pond and Gluck Mill."

SECTION 2. Magistrates of District 5.—Francis M. Prince is designated as Magistrate No. 1 and Farris E. Page is designated as Magistrate No. 2 of Magisterial District No. 5 in Anderson County.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1964.

(R860, H1452)

No. 796

An Act To Amend Section 65-225 Of The 1962 Code, Relating To Income Tax Exemptions, So As To Provide An Exemption For Retired Persons Who Receive Federal Civil Service Retirement Annuities.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-225 amended—item added—exemptions for persons who receive federal civil service retirement annuities.—Section 65-225 of the 1962 Code is amended by adding at the end thereof a new item which shall read as follows:

"(). Any retired person who receives a federal civil service retirement annuity shall be allowed an exemption of twelve hundred

dollars on such annuity each taxable year exclusive of any other exemption. The provisions of this item shall not apply to retired persons who are now exempt from payment of taxes on federal civil service retirement annuities."

SECTION 2. Time effective.—This act shall take effect upon approval of the Governor.

Approved the 6th day of March, 1964.

(R861, H1511)

No. 797

An Act Making It Unlawful To Obtain Certain Motor Vehicles Under Certain Conditions And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Penalty for obtaining a motor vehicle by fraud.—

Any person who, with intent to defraud, obtains a motor vehicle from the owner or a person in lawful possession, by agreeing in writing, to pay a rental for its use and further, agreeing in writing, that it shall be returned to a certain place at a certain time and who fails to return the vehicle within seventy-two hours of the time set or give notification as to its whereabouts or who secretes, converts, sells or attempts to sell the vehicle or any part thereof shall be deemed guilty of a misdemeanor and upon conviction, shall be fined or imprisoned in the discretion of the court.

SECTION 2. Time effective.—This act shall take effect upon approval of the Governor.

Approved the 6th day of March, 1964.

(R862, H1531)

No. 798

An Act To Amend Section 65-705 Of The 1962 Code, Relating To The Selling Price Of Certain Articles, So As To Further Define Selling Price.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item 2 of Section 65-705 amended—selling price defined.—Item 2, Section 65-705 of the 1962 Code is amended by striking all after the word “mean” on line 2 and inserting in lieu “the ordinary, customary or usual price paid by the consumer for each article less the amount of tax added thereto; and” so that when so amended, Item 2 shall read as follows:

“(2) The retail or selling price is referred to as the basis for computing the amount of stamps required on any article, it is intended to mean the ordinary, customary or usual price paid by the consumer for each article less the amount of tax added thereto; and”.

SECTION 2. Time effective.—This act shall take effect upon approval of the Governor.

Approved the 6th day of March, 1964.

(R863, H1632)

No. 799

An Act To Amend Section 14-400.421 Of The 1962 Code, Relating To The Marion County Planning And Development Board, So As To Increase The Membership Of The Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-400.421 amended—Marion County Planning and Development Board created.—Section 14-400.421 of the Code is amended by striking the word “eleven” on line 2, and inserting in lieu thereof the word “thirteen”. The section when amended shall read as follows:

“Section 14-400.421. There is hereby created the Marion County Planning and Development Board, which shall consist of thirteen members, to be appointed by the Marion County legislative delegation. The members shall be appointed for a term of two years, and until their successors are appointed and qualified. Any vacancy in the membership shall be filled in the same manner as the original appointments for the unexpired term. The county legislative delegation and the mayors of the incorporated municipalities of Marion County shall be ex officio members of the Board. All appointments to membership on the Board shall be transmitted to the clerk of court of Marion County, who shall properly record them on the permanent records in

his office, and likewise, the appointments shall be recorded in the minutes and records to be maintained by the Board."

SECTION 2. Time effective.—This act shall take effect upon approval of the Governor.

Approved the 6th day of March, 1964.

(R864, H1696)

No. 800

An Act To Amend The 1962 Code By Adding New Section 8-626, So As To Make It Unlawful To Utter Oral False Statements Concerning The Solvency Of Building And Loan Associations Or Savings And Loan Associations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 8-626 added—unlawful to utter false statements concerning building and loan associations.—The 1962 Code is amended by adding Section 8-626 to read as follows:

"Section 8-626. Any person who shall falsely and wilfully and with intent to injure circulate any report or make any false oral statement as to the assets or liabilities of any building and loan association or savings and loan association in this State, its solvency or ability to meet its obligations or its soundness or who shall make any other false oral statement calculated to affect the credit or standing of such building and loan association or savings and loan association or to cast suspicion upon its solvency, soundness or ability to meet its obligations in due course shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars nor more than five hundred dollars or be imprisoned for not more than one year, or both, in the discretion of the court."

SECTION 2. Time effective.—This act shall take effect upon approval of the Governor.

Approved the 6th day of March, 1964.

(R865, H1983)

No. 801

An Act To Amend Sections 1-359 And 21-228 Of The 1962 Code, Relating To The Purchase Of Supplies For Counties And Municipalities By The Purchasing And Property Division Of The Budget And Control Board And The Purchasing Requirements For School Trustees, So As To Permit The Board To Make Purchases For School Districts Upon Request Of The Trustees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1-359 amended—Purchasing and Property Division may purchase for certain political subdivisions of the State.—Section 1-359 of the 1962 Code is amended by striking out the word “or” on line three and inserting in lieu thereof a “,” and inserting between the words “municipality” and “of” on line three the words “or school district.” When so amended the section shall read as follows :

“Section 1-359. The Purchasing and Property Division of the Board may purchase supplies and equipment for any county, municipality or school district of the State when requested to do so by the governing body thereof. The purchases shall be made on the same terms and under the same rules and regulations as now provided for the purchase of supplies by the Purchasing and Property Division. The cost of any purchase made pursuant to this section shall be borne by the political subdivision concerned, which subdivision shall be billed direct therefor.”

SECTION 2. Section 21-228 amended—requirements for purchases and employment of teachers.—Section 21-228 of the 1962 Code is amended by adding at the end thereof the following: “In lieu of making a particular purchase the board may request the Purchasing and Property Division of the Budget and Control Board to make such purchase.” When so amended the section shall read as follows :

“Section 21-228. No teacher or other employee shall be employed or any purchase made except in a duly called meeting of the board, of which meeting each member has been notified in writing by the clerk of the board at least three days in advance thereof, unless a written waiver of such notice of meeting is signed by each member of the board, and unless such action or the memoranda of the terms of any such contract of employment or purchase shall be duly recorded in

the minutes of such meeting and approved by the board. No contract shall be entered into with teachers before April fifteenth of each year. In lieu of making a particular purchase, the board may request the Purchasing and Property Division of the Budget and Control Board to make such purchase."

SECTION 3. Time effective.—This act shall take effect upon approval of the Governor.

Approved the 6th day of March, 1964.

(R866, H1994)

No. 802

An Act To Amend Section 33-137 Of The 1962 Code, Relating To Hearing And Decision Of The Board Of Condemnation, So As To Provide For Notice Of Appeal.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 33-137 amended—hearing and decision of board.—Section 33-137 of the 1962 Code is amended by adding at the end thereof the following: "The board shall furnish copies of the resolution to the owner and to the Department. The resolution shall contain a statement that any appeal by the landowner shall be served by mail or otherwise upon the Department within twenty days after the receipt of the resolution in accordance with the provisions of Section 33-139." The section when amended shall read as follows:

"Section 33-137. At any hearing before a condemnation board all persons interested shall have the right to introduce testimony and to be heard in argument upon the matter of compensation and damages. After hearing the evidence and arguments, the board shall render its decision by resolution. The board shall furnish copies of the resolution to the owner and to the Department. The resolution shall contain a statement that any appeal by the landowner shall be served by mail or otherwise upon the Department within twenty days after the receipt of the resolution in accordance with the provisions of Section 33-139."

SECTION 2. Time effective.—This act shall take effect upon approval of the Governor.

Approved the 6th day of March, 1964.

(R868, H2186)

No. 803**An Act To Change The Name Of The Clemson Agricultural College Of South Carolina To Clemson University.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Clemson College to be a University.—The Clemson Agricultural College of South Carolina shall henceforth be known, named and designated as Clemson University.

SECTION 2. Time effective.—This act shall take effect on July 1, 1964.

Approved the 11th day of March, 1964.

(R870, H2269)

No. 804**An Act To Repeal Article 6 Of Chapter 8 Of Title 28 Of The 1962 Code, Relating To The Colleton County Game And Fish Commission.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Article 6, Chapter 8 of Title 28 repealed.—Article 6 of Chapter 8 of Title 28 of the 1962 Code is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval of the Governor.

Approved the 6th day of March, 1964.

(R871, H2296)

No. 805**An Act To Provide For The Terms Of Office Of Magistrates In Dorchester County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of magistrates in Dorchester County.—The present terms of office of all magistrates in Dorchester County shall expire on January 31, 1967. Thereafter, all terms shall be for four years.

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SECTION 2. Time effective.—This act shall take effect upon approval of the Governor.

Approved the 6th day of March, 1964.

(R872, H2321)

No. 806

An Act To Provide For Building Permits In Florence County; To Prohibit Companies Furnishing Electrical Energy From Making Connections Under Certain Conditions; To Provide Penalties For Violations; And To Repeal Act No. 117 Of The Acts Of 1963, Relating To Building Permits In Florence County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Building permits required in Florence County.—

Any person who builds, contracts for or assembles any building or construction in Florence County costing in excess of one thousand dollars shall first secure a permit from the tax assessor or any magistrate within the county. Any person who fails to secure such permit shall, upon conviction of such failure, be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

The tax assessor shall design and distribute permits to the magistrates. Duplicates of all permits issued by magistrates shall be filed with the tax assessor by the tenth of each succeeding month. A fee of two dollars shall be charged for each permit and shall be remitted by the tenth of each succeeding month to the county treasurer and placed in the general fund.

SECTION 2. Electricity not to be furnished without permit.—

Companies distributing electrical energy shall, prior to connecting and providing any of their services to any building being constructed in Florence County, ascertain that a building permit has been issued for the construction of the building by the county tax assessor, and any such company that fails to ascertain that a building permit has been issued prior to connecting and providing electrical services, shall, upon conviction of such failure, be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 3. Act 117 of 1963 repealed.—Act No. 117 of the Acts of 1963 is hereby repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1964.

(R874, S669)

No. 807

An Act To Amend Section 23-183 Of The 1962 Code, Relating To Voting Precincts In Laurens County, So As To Change The Place Of Voting In Clinton No. 2.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 23-183 amended—Laurens County voting precincts designated.—Section 23-183 of the 1962 Code is amended by striking on lines seven and eight “present high school on Hampton Avenue” and inserting in lieu thereof “the National Guard Armory on South Broad Street” and by striking on line six the word “Stephens’” and inserting the word “Stewarts’”. The section when amended shall read as follows:

“Section 23-183. In Laurens County there shall be the following precincts: Jones Store; Hopewell; Dials; Lanford; Woodville; Joanna; Mountville; Youngs; Poplar Springs; Waterloo; Hickory Tavern; Brewerton at the school building; Merna at Z. C. Reeves’ store; Ekom; Gray Court; Cross Hill; Trinity Ridge; Barksdale-Narnie; Stewart’s store; Cooks Store at Stewarts’ store; Clinton Mill; Clinton No. 1 at the city hall in Clinton; Clinton No. 2 at the National Guard Armory on South Broad Street; Baileys; Daniel’s store; Grays; Lydia Mill; Long Branch; Mt. Pleasant; Ora; Shady Grove; Tip Top; Mt. Olive at the school building; Wattsville; Owings; Shiloh; Pleasant Mound; Princeton; Renno and Maddens. In the city of Laurens there shall be the following precincts: Ward No. 1, Ward No. 2, Ward No. 3, Ward No. 4, Ward No. 5 and Ward No. 6.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R875, S680)

No. 808

An Act To Amend Sections 43-661 And 43-663 Of The 1962 Code, Relating To Magistrates In Cherokee County, So As to Provide For Their Residency Requirements And Territorial Jurisdictions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 43-661 amended—Cherokee County to have three magistrates.—Section 43-661 of the 1962 Code is amended to read as follows :

“Section 43-661. There shall be in Cherokee County three magistrates whose salaries shall be in such amounts as are provided in the annual county appropriations act.”

SECTION 2. Section 43-663 amended—territorial jurisdiction and residency requirements of magistrates.—Section 43-663 of the 1962 Code is amended to read as follows :

“Section 43-663. The territorial jurisdiction and residency requirement of magistrates in Cherokee County shall be as follows : One magistrate shall be a resident of Cherokee township who shall have jurisdiction in that area ; one magistrate shall be a resident of Draytonville, Limestone, Gowdeysville, Morgan or White Plains township who shall have jurisdiction in these areas ; and one magistrate shall be a resident of the county who shall have county-wide jurisdiction.

Each magistrate shall be nominated in the primary by the qualified electors residing within the territory over which he has jurisdiction.”

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R876, S682)

No. 809

An Act To Amend Section 14-1016 Of The 1962 Code, As Amended, Relating To Office Hours Of County Employees In Beaufort County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-1016 amended—office hours for Beaufort County offices and employees.—Section 14-1016 of the 1962 Code, as amended, is further amended to read as follows:

“Section 14-1016. The office hours of all Beaufort County Offices and the working hours of all employees therein shall be from 8:30 a. m. until 5:30 p. m. on Monday through Friday of each week. The head of any department or office may keep his office open for such additional hours as he may deem necessary.”

SECTION 2. Time effective.—This act shall take effect upon approval of the Governor.

Approved the 12th day of March, 1964.

(R877, S673)

No. 810

An Act To Create The Tradesville Water District Of Lancaster County And To Prescribe Its Area And Functions; To Provide For Its Governing Body And Prescribe Its Powers And Duties; And To Provide Penalties For Certain Actions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Tradesville Water District of Lancaster County created.—There is hereby created a body corporate and politic of perpetual succession to be known as the Tradesville Water District of Lancaster County (hereafter called the district). It shall be the purpose and function of the district to acquire, construct and operate a water works system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select to provide a flow of water through pipes to the areas described in Section 2 of this act, and to such other domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as herein provided. To this end the district shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions

and enlargements to any of them shall be referred to in this act as the system.

SECTION 2. Service area.—The district shall include and be comprised of the following territory which shall be known as the service area :

Beginning at a point where the N. C. State line intersects the west bank of Lynches River; thence proceeding with the west bank of Lynches River (downstream) to the center of Wildcat Creek; thence proceeding upstream with the center of Wildcat Creek and the south branch of Wildcat Creek to a point one mile east of and perpendicular to S. C. Highway 522, this point being on the Dixie Water District boundary; thence running northward with a line one mile east of and parallel to S. C. Highway 522 to a point 2000 feet south of and perpendicular to S. C. 29-83; thence 2000 feet south of and running northeast and parallel to S. C. 29-83 to the intersection of S. C. 29-83 and S. C. 29-228; thence running 2000 feet north of and parallel to S. C. 29-228 to a point 500 feet west of S. C. 29-28; thence leaving the Dixie Water District boundary and running in a northwesterly direction 500 feet west of and parallel to S. C. 29-28 to the intersection of the center line of S. C. 29-51; thence proceeding due north approximately one mile to the N. C. State line; thence running easterly on the N. C. State line to Lynches River, this being the point of beginning.

SECTION 3. District to be managed by a board of directors.—The district shall be operated and managed by a board of directors to be known as the "Tradesville Water District Board of Lancaster County" which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the Lancaster County Legislative Delegation, including the Senator. The delegation shall recommend only such persons as were nominated at a meeting of the residents of the area and certified to the delegation by the chairman and secretary of the meeting. The meeting shall be advertised in a local newspaper for at least one week, giving the time and place of the meeting. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold

office until their successors shall have been appointed and qualify. The initial terms of office shall begin as of the effective date of this act. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term. Immediately after appointment, the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The office of the secretary and treasurer may be combined in the discretion of the board.

SECTION 4. Powers and duties.—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limitation, the following:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for meetings.
- (5) To maintain a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.
- (8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.
- (9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.
- (10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.
- (11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.
- (12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations, or public bodies or agencies.
- (13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.
- (14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.

(15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(16) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided*, that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit

of the State of South Carolina, nor Lancaster County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the Code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which consent shall be given.

(j) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems, within Lancaster County, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

SECTION 5. Rates not to be regulated.—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any state bureau, board, commission or like instrumentality or agency thereof.

SECTION 6. Exempt from taxes.—(1) Bonds, notes or other evidences of indebtedness issued pursuant to Section 4 (22) of this act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows: "The principal of and interest on this (bond) (note or other evidence of indebtedness) are exempted from any and all State, county, municipal and other taxation whatsoever under the laws of the State of South Carolina."

(2) All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 7. Fiscal year, audit and annual report.—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Lancaster County, and with the Secretary of the Legislative Delegation of Lancaster County.

SECTION 8. Penalties for unlawful acts.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 9. Municipalities may purchase water.—The municipalities of Lancaster County and all public bodies and public agencies now or hereafter operating water distribution systems in Lancaster County shall be fully empowered to enter into contracts to buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R878, H1462)

No. 811

An Act To Provide For Permits To Operate A Pharmacy And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Pharmacy defined.—For the purposes of this act “pharmacy” shall mean any outlet for drugs requiring a prescription of a physician, dentist, or veterinarian.

SECTION 2. Permits required to operate pharmacies.—From and after the first day of July following the effective date of this act, it shall be unlawful for any person to operate any pharmacy within this State without first having obtained a permit so to do from the Board of Pharmaceutical Examiners, hereinafter referred to as “the board”.

The application for such permit shall be made on a form to be prescribed by the board and shall be accompanied by the required fee.

If it is desired to operate more than one pharmacy, separate applications shall be made and separate permits issued for each.

SECTION 3. Issuance of permits.—On evidence satisfactory to the board (a) that the pharmacy for which the permit is sought will be conducted in full compliance with the statutory laws pertaining to pharmacy; and (b) that the pharmacy will be constantly under the personal and immediate supervision of a registered pharmacist, or assistant pharmacist, as prescribed by Section 56-1311 of the 1962 Code, a permit shall be issued to such persons as the board shall deem qualified to conduct such pharmacy, automatically within ten days. *Provided*, when an application for a permit to operate a pharmacy is received, the board must act on the application within ten days.

If an application shall be refused, the board shall notify the applicant in writing of its decision and the reasons therefor.

Permits issued under the provisions of this act shall be exposed in a conspicuous place in the pharmacy for which it was issued. Such permits shall not be transferable, shall expire on the last day of June following the date of issue, and shall be renewed annually.

SECTION 4. Renewal and revocation of permits.—Application blanks for renewal permits shall be mailed by the board to each permittee on or before May first in each year, and if application for renewal is not made on or before the following first day of June, the

existing permit shall lapse and become null and void on the date of its expiration, and no new permit will be granted except: (a) upon evidence satisfactory to the board of good and sufficient grounds for the failure to file the application within the prescribed period; and (b) upon payment of the renewal fee.

The board is hereby authorized, after due notice and opportunity for hearing, to revoke any permit when examination or inspection of the pharmacy shall disclose that such pharmacy is not being conducted according to law.

If any permittee shall have obtained a permit to operate or maintain a pharmacy by misrepresentation or fraud the board shall cancel the permit to operate such pharmacy.

If the holder of a permit to operate a pharmacy shall hereafter be convicted in any state or federal court for violation of any of the laws relating to narcotic drugs, unlawful sale of intoxicating liquors or the unlawful sale or disposition of drugs restricted to sale at retail on the prescription of a duly licensed physician, dentist or veterinarian; likewise if any permittee shall plead guilty to or enter a plea of *nolo contendere* in any court of competent jurisdiction of a like violation, the board may cancel the permit held by such permittee.

The board may revoke, suspend or refuse to issue or renew the permit of any pharmacy for any of the following causes:

1. Failure to have or maintain the required qualifications as prescribed by Public Health and Pharmacy Laws, for a permit to operate a pharmacy.
2. Failure to comply with state or federal laws relating to a pharmacy or the practice of pharmacy.
3. Permitting the license of a registered pharmacist to be displayed in any pharmacy where the holder is not in actual and regular attendance.
4. Retaining as an employee any person who wilfully or habitually violates any of the state or federal laws applicable to a pharmacy or its operation.

SECTION 4.1. Notice to be given prior to revocation.—Before any permit shall be revoked or suspended, the holder thereof shall have notice in writing of the charge against him at a date specified in such notice, at least five days after the service thereof, be given a public hearing and have an opportunity to produce testimony in his favor and confront the witnesses against him.

SECTION 5. Appeals.—Any person to whom the board has refused to issue a permit, or whose permit has been revoked, suspended or cancelled, may appeal from the decision and order of the board to the circuit court of the county in which the pharmacy is or is intended to be located, at any time within thirty days after the date of the receipt of the action taken by the board.

The Circuit Court shall have the powers to reverse, modify in any particular or to affirm any such decision and order and to make both findings of fact and law in reference thereto.

No order of revocation, suspension or cancellation of a permit shall be effective until such decision and order has become final.

SECTION 6. Fees.—The fee for a permit to open a new pharmacy shall be fifteen dollars.

The fee for the annual renewal of a permit to operate a pharmacy shall be ten dollars; *provided*, the fee for a permit to operate a pharmacy which is in operation prior to July 1, 1964, shall be ten dollars.

All permit fees collected under the provisions of this act shall be retained by the board and used by the board as is necessary for the administration of the provisions of this act.

SECTION 7. Exceptions.—Nothing in this act shall be construed as preventing any duly licensed physician, dentist or veterinarian from dispensing his own drugs in the regular course of his professional practice; nor in any manner interfering with or to require a permit for the sale or offering for sale of patent, proprietary or commonly used medicines and remedies as are sold by general stores; nor to prevent or interfere with the sale of such acids, poisons or chemicals as are used in insecticides or in agriculture.

Provided, further, that nothing in this act shall be construed as preventing any hospital licensed by the State Board of Health, or owned or operated by an agency of the State or the United States of America, from dispensing drugs to in-patients in the regular course of operation of such hospital.

SECTION 8. Penalties.—Any person violating any of the provisions of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than three hundred dollars for each offense, and each and every day such violation continues shall constitute a separate and distinct offense.

SECTION 9. Issuance of permits further.—As soon as practicable after the receipt of an application for a permit to open a new phar-

macy, the board shall carefully examine it. The board may require additional information from the applicant either in writing or may require the applicant to appear in person before the board. If the board finds that the applicant has qualified to receive such permit, it shall issue the permit. All such applications for permits shall be denied or granted by the board within thirty days after the applicant has submitted his qualifications.

SECTION 10. Board not to consider certain conditions.—The number of pharmacists in any given area shall not be considered nor shall competition among pharmacies be considered by the board in determining whether or not to grant a permit or to revoke, suspend or cancel a permit.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R879, H2084)

No. 812

An Act To Amend Act No. 847 Of The Acts Of 1962, As Amended, Relating To The Organization And Regulation Of Business Corporations, So As To Further Provide For Proxy Voting By Shareholders Of Savings And Loan Associations Or Building And Loan Associations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6.14(c) of Act 847 of 1962 amended—proxies.—Section 6.14 (c) of Act No. 847 of the Acts of 1962, as amended, is further amended by adding at the end the following :

“Provided, at any meeting of the shareholders of a Savings and Loan Association or a Building and Loan Association, voting may be in person or by proxy. Every proxy shall be in writing and signed by the shareholder or his duly authorized attorney-in-fact and, when filed with the secretary, shall, unless otherwise specified in the proxy, continue in force from year to year until revoked by a writing duly delivered to the secretary or until superseded by subsequent proxies.”
When so amended, Section 6.14 (c) shall read as follows :

“(c) No proxy shall be valid after the expiration of 11 months from the date of its execution. Every proxy shall be dated as of its

execution, and no proxy shall be undated or post-dated. Every proxy, except as otherwise provided in this section, shall be revocable at the pleasure of the shareholder executing it, and a proxy may be revoked by an instrument which in terms revokes the proxy, or by a duly executed proxy bearing a later date. The authority of a proxyholder shall not be revoked by death or supervening incapacity of the shareholder executing the proxy unless, before such authority is exercised, written notice of such death or incapacity is filed with the corporate officer responsible for maintaining the list of shareholders. The presence at a shareholders' meeting of the shareholder appointing a proxy shall not of itself revoke the proxy, but such shareholder may revoke the appointment by giving notice to the corporate officer responsible for maintaining the list of shareholders, or by giving notice in open meeting of the shareholders. *Provided*, at any meeting of the shareholders of a Savings and Loan Association or a Building and Loan Association, voting may be in person or by proxy. Every proxy shall be in writing and signed by the shareholder or his duly authorized attorney-in-fact and, when filed with the secretary, shall, unless otherwise specified in the proxy, continue in force from year to year until revoked by a writing duly delivered to the secretary or until superseded by subsequent proxies."

SECTION 2. Time effective.—This act shall take effect upon approval of the Governor.

Approved the 12th day of March, 1964.

(R880, H2085)

No. 813

An Act To Add Section 8-600.2 To The 1962 Code, Limiting The Number Of Votes That A Shareholder In Savings And Loan Associations Or Building And Loan Associations May Cast.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 8-600.2 added—number of votes shareholders of building and loan associations may cast.—Section 8-600.2 is added to the 1962 Code, to read as follows:

"Section 8-600.2. In the determination of all questions requiring action by the shareholders of a savings and loan association or a building and loan association, each shareholder shall be entitled to cast

one vote, plus an additional vote for each one hundred dollars or fraction thereof of the withdrawal value of savings accounts, if any, held by such shareholder. No shareholder, however, shall cast more than fifty votes."

SECTION 2. Time effective.—This act shall take effect upon approval of the Governor.

Approved the 12th day of March, 1964.

(R881, H2109)

No. 814

An Act To Amend Section 46-95 Of The 1962 Code, As Amended, Relating To The Issuance Of Special License Plates For Amateur Radio Operators, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 46-95 amended—issuance of special license plates to amateur radio operators.—Section 46-95 of the 1962 Code, as amended, is further amended by striking the word "passenger" on the fourth line and inserting in lieu thereof the words "motor". The section when amended shall read as follows:

"Section 46-95. The Department may issue special motor vehicle license plates to persons who hold unrevoked and unexpired amateur radio licenses of a renewable nature issued by the Federal Communications Commission, for private motor vehicles registered in the same name. The annual fee for such special license plates shall be one dollar in addition to the regular motor vehicle registration fee prescribed by Article 3, of this Chapter, and only one set of such special plates shall be issued to any person."

SECTION 2. Time effective.—This act shall take effect upon approval of the Governor.

Approved the 12th day of March, 1964.

(R882, H2214)

No. 815**An Act To Amend Section 65-1232.4 Of The 1962 Code, As Amended, Relating To A Tax On Certain Motor Vehicles Using The Public Highways Of This State, So As To Increase The Fee On Such Vehicles Not Licensed In This State.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1232.4 amended—fees.—Section 65-1232.4 of the 1962 Code, as amended, is further amended to read as follows:

“Section 65-1232.4. (a) For issuing each registration card and identification marker, a fee of one dollar shall be paid to the South Carolina Tax Commission at the time of making such application.

(b) Any motor carrier operating motor vehicles in this State which are not licensed in this State shall, in addition to such other taxes or fees as may be provided by this Chapter, pay to the Tax Commission an annual fee of three dollars per power unit in such form and manner as may be prescribed by the Commission. The fee provided by this subsection shall be paid to the Tax Commission at the time of making application as provided by subsection (a) of this section. Any person violating the provisions of this subsection shall, upon conviction, be punished as provided in Section 65-1234.2.

(c) No card or marker shall be issued by the South Carolina Tax Commission until after the fees provided in this section are paid. The fees provided for by subsection (a) of this section shall be transferred to the State Highway Fund. The fees provided for by subsection (b) of this section shall be transferred to the Motor Transportation Fund authorized pursuant to Section 58-1443 of the 1962 Code, and shall be distributed to the incorporated cities and towns of the State in the same manner as provided by Section 58-1443.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R884, H2267)

No. 816

An Act To Repeal Article 15 Of Chapter 8 Of Title 28 Of The 1962 Code, Relating To The Spartanburg County Game And Fish Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 15, Chapter 8 of Title 28 repealed.—Article 15 of Chapter 8 of Title 28 of the 1962 Code is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R887, H2302)

No. 817

An Act To Amend Section 21-2674 Of The 1962 Code, Relating To Citizens' Meetings In The School Districts Of Florence County Concerning Budget And Tax Matters, So As To Limit The Voting At Such Meetings To Those Possessing The Last Issued Tax Receipt.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-2674 amended—budget and millage to be voted on at meeting.—Section 21-2674 of the 1962 Code is amended by striking on line 6 “who return real or personal property for taxation,” and by adding after the word “meeting.” on line 7 the following: “Only those persons exhibiting a current tax receipt reflecting payment of taxes on real or personal property in their respective districts shall be permitted to vote.” so that when amended the section shall read as follows:

“Section 21-2674. The board of trustees of the district shall submit to the citizens at the meeting provided for in Section 21-2673 a proposed budget for the operation of the school or schools within the district, together with the estimated millage necessary to carry the budget into effect, which budget and millage shall only be adopted by majority vote of the qualified electors present at the meeting. Only those persons exhibiting a current tax receipt reflecting payment of taxes on real or personal property in their respective dis-

tricts shall be permitted to vote. Such electors attending the meeting shall have the right to change, alter, reject or amend any budget proposed by the board of trustees.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R889, H2318)

No. 818

An Act To Amend Act 408 Of 1963, Relating To The Turkey Hunting Season In Hampton County, So As To Extend The Season.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 408 of 1963 amended—turkey season or Hampton County.—Section 1 of Act 408 of 1963 is amended by striking on line three “to April thirteenth” and inserting “through April fifteenth and from Thanksgiving day through January first”. The section when amended shall read as follows:

“Section 1. Notwithstanding any other provisions of law, the season for hunting turkeys in Hampton County shall be from March fifteenth through April fifteenth and from Thanksgiving Day through January first.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R890, H2320)

No. 819

An Act To Create The Board Of Assessment Control, The Office Of Tax Assessor, And The Board Of Assessment Appeals In Florence County; To Devolve The Duties Of The Florence County Board Of Equalization Upon The Board Of Assessment Appeals; To Amend Section 65-1803 Of The 1962 Code, Which Excludes Richland County From The Provisions Of Section 65-1802,

Relating To Boards Of Assessors, So As To Also Exclude Florence County; To Amend Section 65-1862 Of The 1962 Code, Which Excludes Richland County From The Provisions Of Section 65-1861, Relating To Township Boards Of Assessors, So As To Also Exclude Florence County; To Provide Penalties For Violations; And To Repeal Section 65-1871 Of The 1962 Code, Relating To District Boards Of Equalization And The County Board Of Equalization Of Florence County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Board of Assessment Control created for Florence County.—There is hereby created a Board of Assessment Control, hereafter called the “board,” for Florence County, to be composed of seven members, one from each school district and two from the county at large, to be appointed by the Governor upon the recommendation of the county legislative delegation, including the Senator. The terms of the members shall be for three years or until their successors are appointed and qualify.

Vacancies on the board by reason of death, resignation, removal or otherwise, shall be filled for the unexpired portion of the term in the same manner as the original appointment. The board shall elect a chairman and a secretary.

SECTION 2. Powers and duties.—The board shall have the same powers and duties as granted such boards under the general laws of the State. The board shall establish methods and policies, make and promulgate rules and regulations for the fair and equitable assessment of all taxable property within Florence County and shall direct all residents of Florence County, who are required by law to make returns of personal property, to make returns of real estate and improvements thereon.

SECTION 3. Employment of tax assessor and other personnel—appropriation.—There shall be a tax assessor for Florence County who shall be employed by the Board. The expenses of operating the office of tax assessor shall be appropriated each year in the county appropriations act. The tax assessor shall select such other personnel to assist him in his duties as shall be authorized by the board.

Provided, that where a county-wide reassessment is required by competent authority, the board shall be empowered to employ such persons or firms as may be necessary, and such persons or firms

shall furnish to the board a satisfactory surety bond to be approved by the board.

SECTION 4. Duties of tax assessor.—All powers, duties and services of the boards of tax assessors, boards of township assessors and chairmen of boards of assessors, so far as they relate to the assessment and valuation of property, shall be devolved upon the tax assessor; subject, however, to policy as determined by the board.

The tax assessor shall be held responsible for the acts of his office and have authority to act in the following, subject to the direction and guidance of the board, and shall:

(1) Carefully consider the returns and lists laid before the tax assessor by the county auditor and, if necessary, compare them with the tax returns and lists of the current returns and lists of the current and previous years;

(2) Diligently seek for all property, both real and personal, not previously returned by the owners or agents thereof or not listed for taxation by the county auditor and list it for taxation in the name of the owner or person to whom it is taxable;

(3) Fairly and impartially assess the value of all property, both real and personal, and enter it upon the returns and lists furnished the tax assessor;

(4) Make such changes in the valuation of any taxable property as returned by any person or as fixed by the county auditor as may, in the tax assessor's judgment, be necessary or proper to conform with the methods, policies, rules and regulations of the board;

(5) From time to time, reassess any or all taxable property so as to reflect its proper valuation in the light of changed conditions;

(6) Determine all assessments and reassessments in such a manner that the ratio of assessed value to fair market value shall be uniform throughout the county;

(7) Insure that a reassessment and equalization of all real and personal property in Florence County and in the City of Florence be accomplished on or before April 30, 1965, pursuant to an order by the South Carolina Tax Commission, dated October 31, 1963, and the equalization thereafter maintained; *provided*, however, that the overall taxation for the county shall not be increased initially more than one per cent;

Provided, further, that taxable property not on the tax books and property whose value may have changed by reason of renovation,

new construction, destruction, or type of use, shall be taxed according to the new assessment and thereafter according to the current assessment, and shall not be included in determining the initial overall taxation increase for the county;

(8) Make the necessary surveys, plats, schedules, records, and such things incident and necessary to the establishment of an equitable and uniform reassessment program; and

(9) Require persons engaged in the development of real estate or subdivisions to file with the tax assessor a plat of such developments or subdivisions.

SECTION 5. Board of Assessment Appeals for Florence County created.—There is hereby created a Board of Assessment Appeals for Florence County. The powers and duties of the Florence County Board of Equalization are hereby devolved upon the board. The board of assessment appeals shall consist of five members, one from each school district in the county, to be appointed by the Governor upon the recommendation of a majority of the county legislative delegation, including the Senator. The board shall elect a chairman and a secretary. The terms of the members of the board shall be for three years or until their successors are appointed and qualify. Vacancies on the board of assessment appeals by reason of death, resignation, removal or otherwise, shall be filled for the unexpired portion of the term in the same manner as the original appointment. The board shall meet whenever necessary, but shall meet on the first Tuesday in each month to act on appeals from the assessments of the tax assessor. The board members shall be paid on a per diem basis as provided for annually in the county appropriations act.

SECTION 6. Appeals.—The right is reserved to any property owner and taxpayer to appeal from the decision of the Florence County Board of Assessment Appeals to the South Carolina Tax Commission for such relief as may be available to him under the general law of South Carolina.

SECTION 7. Section 65-1803 amended—Section 65-1802 not to affect Richland or Florence Counties.—Section 65-1803 of the 1962 Code is amended to read as follows:

“Section 65-1803. Nothing contained in Section 65-1802 shall be construed as affecting the Richland County Board of Assessment

Control, the Richland County Board of Assessment Appeals, the Florence County Board of Assessment Control nor the Florence County Board of Assessment Appeals.”

SECTION 8. Section 65-1862 amended—Section 65-1861 not applicable to Richland or Florence Counties.—Section 65-1862 of the 1962 Code is amended to read as follows:

“Section 65-1862. The provisions of Section 65-1861 shall not apply to Richland County nor Florence County.”

SECTION 9. Not to affect special municipal boards in Florence County.—This act shall not affect special municipal boards established in Florence County.

SECTION 10. Tax levies not to be changed until reassessment completed.—No change in any tax levy shall be made until the Florence County Board of Assessment Control has declared that the reassessment herein provided shall have been completed, with the exception of appeals.

SECTION 11. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 12. Section 65-1871 repealed.—Section 65-1871 of the 1962 Code is hereby repealed.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

An Act To Provide For Special Reassessment Of Realty In Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Abbeville County may reassess property.—Notwithstanding any provision of law to the contrary, the Board of Assessors of Abbeville County is empowered to reassess any parcel

of real estate in any year in which it deems such action necessary to reflect the proper value of the parcel. The board shall give written notice to the owner of any property reassessed, or his agent, of the valuation determined for the property.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R895, H2340)

No. 821

An Act To Amend Section 14-400.35 Of The 1962 Code, Relating To The Powers Of The Anderson County Planning And Development Board, So As To Authorize The Board To Purchase, Lease And Sell Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-400.35 amended—board may accept gifts and grants and buy or sell property.—Section 14-400.35 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following :

“Section 14-400.35. In the promotion of the purposes of this article the board is authorized to accept gifts and grants of money from private and public sources and to purchase, lease and sell property.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R896, H2341)

No. 822

An Act To Amend Section 14-2681 Of The 1962 Code, Relating To The Board Of Rural Fire Control In Lee County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-2681 amended—Board of Rural Fire Control for Lee County established—Section 14-2681 of the 1962 Code is amended to read as follows:

“Section 14-2681. There is hereby established a Board of Rural Fire Control for Lee County, to be composed of three members, who shall be appointed by the Governor upon the recommendation of the county legislative delegation. The initial appointees shall be Russell Ingram of Lynchburg whose term shall be for one year; Homer Kennedy, Route 1, Bishopville whose term shall be for two years; and C. L. Jordan of Bishopville whose term shall be for three years. Their successors shall be appointed for terms of three years. The members appointed, whether for an initial term or for a regular term, shall serve until their successors are appointed and qualify. Any vacancies on the Board shall be filled in the same manner as the original appointment for the unexpired term. The members of the Board shall receive such compensation as may be annually fixed in the county appropriation act.”

SECTION 2. Present Board abolished.—The present Board of Rural Fire Control is hereby abolished.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R897, S545)

No. 823

An Act To Amend Act No. 847 Of 1962, As Amended, Relating To Business Corporations, So As To Include Certain Provisions Erroneously Omitted.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1.6 (a) of Act 847 of 1962 amended—delivery of documents for filing.—Section 1.6(a) of Act No. 847 of 1962, as amended, is further amended to read as follows:

“(a) Whenever any provision of this act requires any document to be delivered for filing in accordance with this section, unless otherwise specifically stated in this act and subject to any additional provisions of this act, such requirement shall mean that:

(1) The original executed document, together with the conformed copy, shall be delivered to the office of the Secretary of State.

(2) All fees and taxes required for filing the document shall be tendered to the Secretary of State.

(3) Upon delivery of the documents, and upon tender of the required fees and taxes, the Secretary of State shall certify that the original has been filed in his office by endorsing upon the original the word 'Filed' and the hour, day, month and year thereof. Such endorsement shall be known as the 'filing date' of the document, and shall be conclusive of the date of filing in the absence of actual fraud. The Secretary of State shall thereafter file and index the original.

(4) The Secretary of State shall immediately compare the conformed copy with the original, and if he finds that they are identical, he shall certify the conformed copy by making upon it the same endorsement which is required to appear upon the original, together with a further endorsement that the conformed copy is a true copy of the original document.

(5) The conformed copy, so certified, shall be returned to the person or persons delivering the documents to the Secretary of State and it shall be retained as a part of the permanent records of the corporation."

SECTION 2. Section 6.18 (2) of Act 847 of 1962 amended—informal action by shareholders.—Section 6.18 (a) of Act No. 847 of 1962, as amended, is further amended to read as follows:

"(a) Action taken at any meeting of shareholders, however called and with whatever notice, if any, shall be deemed action of the shareholders taken at a meeting duly called and held on proper notice, if:

(1) All shareholders entitled to vote at the meeting are present in person or by proxy, and no shareholder objects to holding the meeting; or

(2) If a quorum is present either in person or by proxy, no one present objects to holding the meeting, and each absent person entitled to vote at the meeting signs, either before or after the meeting, a written waiver of notice, or consent to the holding of the meeting, or approval of the action taken as shown by the minutes thereof. All such waivers, consents, or approval shall be filed with the corporate records or made a part of the minutes of the meeting. The absence from the minutes of any indication that a shareholder objected to holding the meeting shall prima facie establish that no such objection was made."

SECTION 3. Section 6.21 (d) of Act 847 of 1962 amended—no pre-emptive rights.—Section 6.21 (d) of Act No. 847 of 1962, as amended, is further amended to read as follows:

“(d) Except as otherwise provided in the articles of incorporation, or any amendment thereto, there shall be no pre-emptive right with respect to:

- (1) Shares issued as a share dividend;
- (2) Shares issued for consideration other than cash;
- (3) Shares issued to effect a merger or consolidation or purchase of assets;
- (4) Shares authorized in the corporation’s original articles of incorporation, or any amendment thereto, and issued, sold, or optioned within two years of the date of filing the articles of incorporation or articles of amendment, as the case may be;
- (5) Shares issued under a plan of re-organization approved in a proceeding under any applicable act of Congress relating to the re-organization of corporations;
- (6) Shares issued to satisfy conversion or option rights previously granted by the corporation;
- (7) Shares issued or optioned to directors, officers, or employees as provided in Section 5.8 (Share Rights and Options);
- (8) Shares released by waiver from their pre-emptive rights;
- (9) Shares which have been offered to shareholders to satisfy their pre-emptive rights but not purchased by them within the prescribed time, and which are thereafter issued, sold, or optioned to any other person or persons at a price not less than the price at which they were offered to such stockholders.”

SECTION 4. Section 11.3 (b) of Act 847 of 1962 amended—sale of assets further.—Section 11.3 (b) of Act No. 847 of 1962, as amended, is further amended to read as follows:

“(b) The articles of incorporation of any corporation may contain a provision prescribing for approval of any sale of assets a vote greater than, but in no event less than, that prescribed by subsection (a) of this section. Such provision:

- (1) May require a unanimous or less than unanimous vote;
- (2) May designate whether all, or any specified class of, sales or other disposition shall be subject to the vote required by the articles;
- (3) Shall be repealed, altered, or otherwise removed or modified only by the same vote which such provision requires for approving a sale of assets.”

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R899, H2189)

No. 824

An Act To Amend Act No. 227 Of The Acts Of 1963, Relating To The Allendale Industrial Park, Water And Sewerage District, So As To Further Provide For Obligations Of The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (25), Section 5 of Act 227 of 1963 amended—power to borrow money.—The first paragraph of Item (25) of Section 5 of Act No. 227 of the Acts of 1963 is amended by striking the entire sentence beginning with “Neither” on line thirteen and ending with “effect.” on line seventeen, and inserting: “In addition to the revenue pledged to pay the principal and interest of any obligation authorized under this act, the full faith, credit and taxing power of the county is irrevocably pledged and, should the pledged revenue be insufficient to pay the obligations, the auditor shall levy and the treasurer shall collect a tax upon all of the real and personal property in the county sufficient to meet the obligations.” When so amended, the first paragraph of Item (25) shall read :

“(25) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its facilities. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the facilities, and any extension, addition, and improvement thereto, including engineering costs, construction costs, the sum needed to pay interest during the period prior to which the facilities, or any extension, addition or improvement thereto shall be fully in operation, and self-liquidating, such sum as is needed to supply working capital to place the facilities in operation, and all other expenses of any sort that the District may incur in establishing, extending and enlarging the facilities. In addition to the revenue pledged to pay the principal and interest of any obligation authorized under this act, the full faith, credit and taxing power of the county is irrevocably pledged and, should the pledged revenue be insufficient to pay the obligations, the auditor shall levy and the treasurer shall collect a tax upon all of the real and personal property

in the county sufficient to meet the obligations. Neither the members of the District nor any person signing the obligation shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the District shall be fully empowered to avail itself of all power granted by Article 6, Chapter 4, Title 59, and by Chapter 6, Title 59, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the power conferred upon the District by such Code provisions, the District may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the District may:"

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R900, H2268)

No. 825

An Act To Repeal Article 14 Of Chapter 8 Of Title 28 Of The 1962 Code, Relating To The Pickens County Fish And Game Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 14, Chapter 8 of Title 28 repealed.—Article 14 of Chapter 8 of Title 28 of the 1962 Code is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R901, H2328)

No. 826

An Act To Amend Section 14-3309 Of The 1962 Code, Relating To Days And Hours Of Work For Employees Of Spartanburg County, So As To Provide For Emergency Closings Of County Offices.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-3309—amended—office hours for Spartanburg County offices—Section 14-3309 of the 1962 Code is amended by adding at the end thereof the following: “The county board of control may direct the closing of any county office during emergencies.” When so amended, the section shall read:

“Section 14-3309. The employees of the county, in departments where services are required to be maintained seven days a week, shall have one day off in every work week, and such days shall be designated by the respective heads of such departments. In departments where services are not required to be maintained seven days a week, the offices shall remain open from nine A.M. until five P.M. from Monday through Friday, and from nine A.M. until twelve noon on Saturday. The county board of control may direct the closing of any county office during emergencies.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R902, H2342)

No. 827

An Act To Amend Sections 14-3452, 14-3481, 15-501 And 15-506 Of The 1962 Code, All Of Which Contain References To The Master Of Union County, So As To Delete Such References.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-3452 amended—bonds of Union County officials.—Section 14-3452 of the 1962 Code is amended by striking on the fourth line “and ex officio master”. The section when amended shall read as follows:

“Section 14-3452. The official bonds of the county officers are fixed at the following amounts, that is to say: County treasurer, forty thousand dollars; superintendent of education, ten thousand dollars; probate judge, five thousand dollars; auditor, five thousand dollars; clerk to treasurer, five thousand dollars; sheriff, ten thousand dollars; clerk of court, five thousand dollars; coroner, one thousand dollars; supervisor, one thousand dollars; game warden, one thousand dollars; magistrate at Union, one thousand dollars; deputy sheriffs, each, one thousand dollars, rural policemen, each, one thousand dollars; and

all other officers of the county who are required by law to enter into bond, five hundred dollars each.”

SECTION 2. Section 14-3481 amended—salaries in lieu of fees for certain officials of Union County.—Section 14-3481 of the 1962 Code is amended by striking “, master” on the second line. The section when amended shall read as follows:

“Section 14-3481. The following named county officials, to wit: Sheriff, auditor, treasurer, probate judge and clerk of court of common pleas and general sessions shall receive as compensation for their services such salaries and expenses as may be annually designated and provided for in the county appropriation act, and such salaries and expenses shall be in lieu of all fees of whatever nature or description collected by such officers, as provided by law, including all fees accruing by virtue of their offices. But the county sheriff shall be entitled to collect such fees and costs as may be provided for him for serving processes issued by the magistrate at Union and as constable for such magistrate.”

SECTION 3. Section 15-501 amended—probate judges to act as masters in certain counties.—Section 15-501 of the 1962 Code is amended by striking on line six, “Oconee and Union” and inserting in lieu thereof “and Oconee” also, is further amended by adding at the end thereof the following: “All duties, powers and emoluments heretofore imposed upon, vested in or attached to the office of Probate Judge, ex-officio Master, in and for Union County, South Carolina, concerning the holding of judicial sales as the ex-officio Master, are hereby imposed upon, vested in and devolved upon the clerk of the Circuit Courts of Common Pleas and General Sessions of the County of Union together with the emoluments thereof.” The Section when amended shall read as follows:

“Section 15-501. All duties, powers and emoluments ordinarily imposed upon, vested in or attached to the Office of Master are hereby imposed upon, vested in and attached to the office of Judge of Probate in the counties of Allendale, Anderson, Bamberg, Colleton, Darlington, Edgefield, Greenwood, McCormick, Marion, Newberry and Oconee. Such probate judges shall receive for the discharge of such duties the same fees as are allowed Masters in other counties. All duties, powers and emoluments heretofore imposed upon, vested in or attached to the Office of Probate Judge, ex-officio Master, in and for Union County, South Carolina, concerning the holding of judicial sales as the ex-officio Master, are hereby imposed upon,

vested in and devolved upon the Clerk of the Circuit Courts of Common Pleas and General Sessions of the County of Union together with the emoluments thereof.”

SECTION 4. Section 15-506 amended—when clerk of court of McCormick County to act as master.—Section 15-506 of the 1962 Code is amended by striking on line two “or Union County”. The section when amended shall read as follows:

“Section 15-506. All cases in which the probate judge of McCormick County may be directly or indirectly interested or otherwise disqualified shall be referred to the clerk of court for the county to act as special master. The clerk shall receive the commission and compensation as now provided by law.”

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R903, H2249)

No. 828

An Act To Amend Section 14-400.534 Of The 1962 Code, Relating To The Powers Of The Sumter County Development Board, So As To Authorize The Board To Sell, Lease Or Purchase Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-400.534 amended—powers of Sumter County Development Board.—Section 14-400.534 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 14-400.534. The Board shall have the power to employ personnel, enter into contracts, sell, lease or purchase property, and shall have such other powers as may be necessary to carry out the purposes of this article.”

SECTION 2. Prior purchases of property ratified.—Any property previously purchased by the Sumter County Development Board is hereby ratified and confirmed in all respects.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R904, H1953)

No. 829

An Act To Make Appropriations To Meet The Ordinary Expenses Of The State Government For The Fiscal Year Beginning July 1, 1964; To Regulate The Expenditure Of Funds Therefor; For Borrowing Money; Further Relating To The Operation Of The State Government During The Fiscal Year 1964-65; And To Enact As Permanent Laws Of The State Of South Carolina Measures To Amend Section 21-253, Code Of Laws Of South Carolina, 1962, Relating To The Number Of Pupils Required Per Teacher To Qualify For State-Aid; To Amend Section 21-258, Code Of Laws Of South Carolina, 1962, So As To Provide Increased Salaries For School Teachers; To Amend Section 65-740, Code Of Laws Of South Carolina, 1962, So As To Adjust The Allocation Of Beer And Wine Taxes To The Municipalities Of The State; To Make Available To Municipalities Of The State By The Tax Commission Records Relating To The Gross Receipts Of Merchants; To Amend Section 3, Of Act No. 455, Of The Acts Of 1961, So As To Increase The Bond Authorization Of Whitten Village; To Provide For A Reduction Of The General Fund Reserve To \$1,000,000.00 At The End Of The Fiscal Year 1964-65 According To The Terms Of Section 21-293, Code Of Laws Of 1962; To Amend Section 30-52, Code Of Laws 1962, Relating To The Compensation Of Members Of The General Assembly; To Provide For The Payment Of Rental By All Agencies Occupying The New State Office Building And To Provide For Amortization Of The Cost Of The Said Building And Other Property; To Amend Sections 15-103 And 15-212, Code Of Laws Of South Carolina, 1962, Relating To The Compensation Of The Chief And Associate Justices Of The Supreme Court, And Circuit Judges; To Amend Section 61-256.1, Code Of Laws Of South Carolina, 1962, So As To Exempt Benefits Of The Judicial Retirement System From State, County And Municipal Taxes; To Amend Section 58-57, Code Of Laws Of South Carolina, 1962, Relating To The Manner Of Payment Of Salaries Of Members Of The Public Service Commission; To Amend Section 72-51, Code Of Laws Of South Carolina, 1962, So As To Increase To Six The Number Of Members Of The South Carolina Industrial Commission; To Amend Section 22-104, Code Of Laws Of South Carolina, 1962, Relating To The Fixing Of Tuition Fees And Other Student Charges By The University Of South Carolina.

Be it enacted by the General Assembly of the State of South Carolina :

PART I**Maintenance and Operation of State Government****SECTION 1**

For the fiscal year 1964-65, except as hereinafter specifically provided, all general state revenues derived from taxation, licenses, fees, or from any other source whatsoever, and all institutional and departmental revenues or collections, including income from taxes, licenses, fees, the sale of commodities and services, and income derived from any other departmental or institutional source or activity, shall be remitted to the State Treasurer as collected, when practicable, but at least on or before the last day of each month, for credit to the General Fund of the State. Each institution, department, or agency, in remitting such income to the State Treasurer, shall attach with each such remittance a report or statement, showing in detail the sources from which such income was derived, and shall, at the same time, forward a copy of such report or statement to the Comptroller General and the State Budget and Control Board. *Provided, however,* That refunds of such collections by state institutions, when properly approved by the authorities of same, may be made before remittance to the State Treasurer, so that, to such extent, the remittances, and the accompanying report or statement, shall be on the basis of net income. *Provided, further,* That revenues derived from the General Retail Sales Tax, and the State's portion of revenue derived from the Alcoholic Liquors Tax, shall be credited to a Special School Fund, and no payments shall be made from this fund except to cover appropriations herein made for the support of the public school system of the State, but any amount of such appropriations in excess of revenues credited to the Special School Fund shall be paid from the General Fund of the State.

SECTION 2

Subject to the terms and conditions of this Act, the sums of money set forth herein, if so much be necessary, be, and the same are, hereby appropriated out of the State Treasury, to meet the ordinary operating expenses of the State Government applicable to the fiscal year 1964-65, and for such other purposes as may be hereinafter specifically designated.

SECTION 3

Legislative Department

Item 1. The Senate:

A. Personal Service:

A-1. *Salaries:*

President	\$ 1,500.00
President Pro Tempore	400.00
Senators (46 @ \$2,400.00) ...	110,400.00
Clerk (In full for year)	12,000.00
Sergeant-at-Arms	750.00
Assistant Clerk	950.00
Secretary to President	750.00
Chaplain	350.00
General Desk Clerks (2)	1,600.00
Bill Clerks (2)	1,200.00
Journal Clerk	725.00
Journal Clerk	650.00
Reading Clerk	900.00
General Committee Clerks (3)	1,275.00
Amendment Clerks	1,000.00
Asst. Amendment Clerks (4)	800.00
Committee Sergeant	650.00
Steno-Clerk, Judiciary Com. ...	725.00
Steno-Clerk, Social Security and Education Committees ...	725.00
Stenographers, Finance Com- mittee (3)	2,175.00
General Committee Stenog- rapher	725.00
General Committee Stenog- rapher	725.00
General Committee Stenog- rapher	725.00
Keeper—President's Office ...	320.00
Keeper—Finance Committee Room	320.00
Keeper—Judiciary Committee Room	320.00
Doorkeepers (3)	1,200.00
Elevator Operators (4)	1,000.00

Pages (3)	1,050.00	
Attendants (12)	2,400.00	
Laborers	1,260.00	
B. Contractual Services:		
B-2. Mileage (9¢ per mile)	12,600.00	
Subsistence	28,200.00	
Official Expense Allowance—		
President	800.00	
C. Supplies:		
C-4. Postage (46 @ \$15.00)	690.00	
E. Contingencies:		
Approved Accounts	95,000.00	
		<hr/>
Total (Item 1) The Senate		\$ 286,860.00
Item 2. House of Representatives:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
The Speaker	\$ 1,500.00	
Speaker Pro Tempore	400.00	
Representatives	297,600.00	
Clerk (In full for year)	12,000.00	
Assistant Clerk	950.00	
Journal Clerk	725.00	
Bill Clerk	725.00	
Reading Clerk	900.00	
Bill Clerk and General Com-		
mittee Clerk	600.00	
Steno-Clerk, Ways and Means		
Committee	725.00	
Steno-Clerk, Judiciary Com-		
mittee	725.00	
General Committee Clerk (2) .	1,450.00	
General Desk Clerk	800.00	
General Desk Clerk	725.00	
General Clerk and/or Stenog-		
rapher	725.00	
General Committee Stenogra-		
phers (2)	1,450.00	
Sergeant-at-Arms	750.00	
Assistant Sergeant-at-Arms ...	750.00	

GENERAL AND PERMANENT LAWS—1964

Secretary to the Speaker	750.00
Amendment Clerks	1,450.00
Stenographer	725.00
Chaplain	350.00
Committee Sergeant	650.00
Chief Page	450.00
Asst. Chief Page	400.00
Pages (12)	4,200.00
Doorkeepers (3)	1,200.00
Laborers (3)	1,200.00
Elevator Operators (4)	1,000.00
B. Contractual Services:	
B-2. Mileage (9¢ per mile)	35,000.00
Subsistence	74,400.00
Official Expense Allowance—	
Speaker	800.00
C. Supplies:	
C-4. Postage (124 @ \$15.00) ..	1,860.00
E. Contingencies:	
Approved Accounts	95,000.00
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Total (Item 2) House of Represen-	
tatives	\$ 542,935.00
Item 3. Special Services for both	
Houses:	
A. Personal Service:	
A-1. Salaries:	
Clerk on Enrollment of Acts ..\$	700.00
Assistant Clerk on Enrollment	
of Acts	700.00
Postmaster	600.00
Assistant Postmaster	600.00
Telephone Operators (2) (in	
full for session)	700.00
Telephone Pages (2)	700.00
Information Services (if so	
much be necessary)	500.00
Laborers (3)	1,080.00
Maid.	300.00

E. Contingencies:

Approved Accounts	15,000.00
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Total (Item 3) Special Services for both Houses	
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	\$ 20,880.00
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Item 4. Codification of Laws and
Legislative Council:

A. Personal Service:

A-1. *Salaries:*

Code Commissioner and Direc- tor of Legislative Council (In full for year)	\$ 15,000.00
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Asst. Code Commissioner and Asst. Director of Legisla- tive Council	9,500.00
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Attorney	8,500.00
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Attorney	8,500.00
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Lawyers	4,600.00
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Stenographers	7,975.00
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Clerk	725.00
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Clerical Help	2,000.00
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Pages	450.00
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A-2. Wages:

Porter	650.00
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A-3. Special Payments:

Per Diem and Travel of Com- mittee on Statutory Laws.	1,200.00
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B. Contractual Services:

B-7. For Printing Code Supple- ment	16,000.00
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F. Contingencies:

Approved Accounts	48,500.00
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Total (Item 4) Codification of Laws and Legislative Council ..	
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	\$ 123,600.00
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Item 5. Clerk's Office (Clerk of the
Senate):

A. Personal Service:

A-1. *Salaries:*

Secretary	\$ 2,910.60
Bookkeeper	2,314.00

A-2. *Wages:*

Porter	525.40
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B. Contractual Services:

B-3. Telephone and Telegraph ..	100.00
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C. Supplies:

C-4. Office Supplies	150.00
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D. Fixed Charges and Contributions:

D-1. Post Office Box Rent	12.00
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Total (Item 5) Clerk's Office (Clerk of the Senate)	\$ 6,012.00
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Item 6. Clerk's Office (Clerk of the
House):

A. Personal Service:

A-1. *Salaries:*

Secretary	\$ 2,910.60
Clerical Help	4,357.30

A-2. *Wages:*

Porter	859.10
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B. Contractual Services:

B-3. Telephone and Telegraph ..	100.00
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C. Supplies:

C-4. Office Supplies	125.00
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D. Fixed Charges and Contributions:

D-1. Post Office Box Rent	18.00
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Total (Item 6) Clerk's Office (Clerk of the House)	\$ 8,370.00
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TOTAL (Legislative Department) ..	\$ 988,657.00
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Provided, That the Clerk of the House is authorized to have prepared a House Journal Index at a cost not to exceed Three Hundred (\$300.00) Dollars, and the Clerk of the Senate is authorized

to have prepared a Senate Journal Index at a cost not to exceed Three Hundred (\$300.00) Dollars, same to be paid from approved accounts; *Provided, Further*, That the Comptroller General is authorized to honor warrants for operation of the offices of the Clerks of the House and Senate between sessions of the General Assembly on the approval of the clerk of each House. *Provided, Further*, That appropriations for salaries under this section shall be paid at such intervals and in such amounts as may be determined by the presiding officer and/or Clerk of the respective branches of the General Assembly. *Provided, Further*, That the clerks of the respective legislative departments may pay laborers and porters for necessary work before the convening and after the adjournment of the General Assembly. *Provided, Further*, That all supplies and equipment for use of the General Assembly shall be purchased only upon written authority of either the Clerk of the Senate, Clerk of the House or the Legislative Council for the respective branches of the General Assembly, and that a copy of such written authority shall be attached to all warrants in payment thereof before such warrants are honored by the Comptroller General. *Provided, Further*, That the Clerk of the Senate may employ two additional clerks for his office between sessions at a salary of \$178.00 bi-weekly, the same to be paid from approved accounts of the Senate. *Provided, Further*, That all employees of the General Assembly, with the exceptions of the Assistant Amendment Clerks and Attendants of the Senate, shall be paid for six (6) days of each week of the entire session, except that the Clerk of the House, the Clerk of the Senate, and the Director of the Legislative Council shall be paid no other compensation than that appropriated for those positions.

Provided, Further, That the Lieutenant Governor shall receive mileage as paid to members of the General Assembly during the sessions of the General Assembly.

Provided, Further, That the Clerks of the two (2) Houses are authorized to issue their warrants on Approved Accounts for necessary extra clerical or other services. *Provided, Further*, That necessary temporary clerical help for the Chairman of the Senate Finance, House Ways and Means Committees, the President of the Senate, and the Speaker of the House, may be paid from Approved Accounts of the respective Houses upon recommendation of the Chairmen, or the Speaker, or the President of the Senate, respectively. *Provided, Further*, That either the Sergeant-at-Arms or the Assistant Sergeant-at-Arms of the Senate and the House shall remain on duty

from 9:00 A.M. to 5:00 P.M. during each day of the week between sessions, except that on Saturdays the hours of duty shall be from 9:00 A.M. to 1:00 P. M., for which the person performing these duties shall receive his regular per diem compensation for each day of actual duty. The duties of the Sergeant-at-Arms and/or Assistant Sergeant-at-Arms shall be those provided by the Code, the Rules of the respective Houses, those designated by the presiding officers of the various Houses, and in addition the Sergeant-at-Arms and/or Assistant Sergeant-at-Arms of the respective Houses shall meet and escort visitors in and about their respective bodies and shall, during the hours of duty, be dressed in a distinctive manner so as to be easily identified as Sergeants-at-Arms. *Provided, Further,* That members of Legislative Committees shall be paid the regular per diem and expenses from Approved Accounts of the House which the respective committee members represent. *Provided, Further,* That the Sergeants-at-Arms are authorized to make necessary repairs to the Senate Chamber and the Hall of the House of Representatives between the 1964 and 1965 sessions of the General Assembly, and shall be paid therefor their regular per diem allowance for necessary time, but not to exceed sixty (60) days each for the Assistant Sergeants-at-Arms, and no such repairs shall be made except with the approval of the presiding officer. *Provided, Further,* That the joint committee consisting of six members, three from the Senate and three from the House, created in the 1945 Deficiency Bill to investigate the feasibility of completing the State House according to the plans of the original architect, or according to plans which might be considered more suitable, is hereby increased to include the presiding officers of the two Houses, and the Committee is authorized to continue such work.

Provided, Further, That the Legislative Council is authorized to employ additional stenographic or other help between sessions as the Council may deem necessary at such salary or salaries as the Council may set, to be paid from approved accounts.

Provided, Further, That the Clerks of the two Houses of the General Assembly are hereby authorized and directed to have printed all State-wide Acts immediately after their approval by the Governor, and to place upon the desk of each member of the General Assembly, within one week after the approval date, a copy of said Acts, and to mail another copy to the home address of each member of the General Assembly, and three copies to each Clerk of Court in the State, and to the head of each State department and Institution, and to the

Chief Justice and Associate Justices of the Supreme Court and each Judge of the Judicial Circuits. Likewise, printed copies of local Acts approved by the Governor shall be furnished to the members of the Legislative Delegation from the County involved. The Secretary of State shall notify the respective Clerks immediately upon receipt of all Acts approved by the Governor and make such Acts available to them for proof reading. All expenses in connection with the distribution of said approved Acts shall be paid from Approved Accounts for special services for both Houses.

Provided, Further, That copies of printed advance sheets of the Acts of the General Assembly shall be supplied to the County Clerks of Court and County Boards of Commissioners.

Provided, Further, That for each session of the General Assembly all attaches and/or employees of the General Assembly shall receive as additional compensation an increase of ten per cent over the rate paid for the 1956 session. Such sums shall be paid from the Approved Accounts of the respective Houses, services to both Houses, and the Legislative Council.

Provided, Further, That the salaries of all Legislative employees and attaches shall be increased by 5% of the rate paid during the fiscal year 1963-64, unless any such salary is increased herein by more than that percentage, the cost of these salary increases shall be paid from the respective divisions of the Legislative Department.

SECTION 4

Judicial Department

Item 1. Supreme Court:

A. Personal Service:

A-1. Salaries:

Chief and Associate Justices .	\$ 98,000.00
Clerk	6,000.00
Reporter	3,600.00
Librarian	4,800.00
Secretary	4,000.00
Stenographers (2)	7,310.00

Stenographers—Chief and Associate Justices	20,985.00	
Legal Assistant to Chief Justice	7,500.00	
Attendant	2,750.00	
Retired Justices	9,500.00	
Widows of Justices	6,000.00	
Chaplain	180.00	
A-2. Wages:		
Messenger	220.00	
A-3. Special Payments:		
Extra Steno Services	200.00	
B. Contractual Services:		
B-2. Travel	6,000.00	
B-3. Telegraph and Telephone ..	2,500.00	
B-4. Repairs	500.00	
C. Supplies:		
C-4. Office Supplies	5,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	39.00	
Office Expenses—Chief and Associate Justices	3,000.00	
G. Equipment:		
G-1. Office Equipment	2,000.00	
G-7. Educational Equipment:		
Library:		
Books	6,000.00	
South Carolina Reports	3,862.00	
Total (Item 1) Supreme Court		\$ 199,946.00
Item 2. Circuit Courts:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Circuit Judges (15)	\$ 292,500.00	
Retired Judges	28,500.00	
Widows of Judges	12,000.00	
Circuit Stenographers (15) ...	115,425.00	
A-3. Special Payments:		
Special Circuit Judges	1,000.00	

B. Contractual Services:

B-2. Travel	32,000.00
Official Expense (Circuit Stenographers 15)	4,500.00

Total (Item 2) Circuit Courts \$ 485,925.00

Item 3. Board of Law Examiners:**A. Personal Service:**

A-3. Special Payments (3 Mem- bers)	\$ 2,400.00
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Item 4. Board of Commissioners on
 Grievances and Discipline. \$ 10,000.00
 For Salary and Wage Adjust-
 ments 8,836.00

TOTAL (Judicial Department) \$ 707,107.00

Provided, That the salaries provided herein for Circuit Stenog-
raphers shall be in full for all services to the Circuit Courts, except
where specific appropriations are made by any of the counties in the
respective circuits to supplement these salaries, and except for income
derived by the said Circuit Stenographers from transcripts.

SECTION 5**Governor's Office****Item 1. Executive Control of State:****A. Personal Service:****A-1. Salaries:**

Governor	\$ 20,000.00
Executive Secretary	10,505.00
Administrative Assistant	10,505.00
Press Secretary	10,505.00
Legal Assistant	10,505.00
Stenographers	30,800.00

A-2. Wages—Messenger-Porter . 2,682.50

A-3. Special Payments—

 Extra Clerical 5,219.00

B. Contractual Services:

B-2. Travel and Promotional Expense	13,000.00
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B-3. Telegraph and Telephone ..	10,000.00	
B-4. Repairs	1,000.00	
C. Supplies:		
C-4. Office Supplies	8,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	30.00	
D-3. Association Dues	100.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
		<hr/>
Total (Item 1, Executive Control of State		\$ 133,851.50
Item 2. Mansion and Grounds:		
A. Personal Service:		
A-2. Wages	\$ 17,000.00	
B. Contractual Services:		
B-3. Telegraph and Telephone ..	3,000.00	
B-4. Repairs	2,000.00	
B-6. Water, Heat, Light and Power	3,000.00	
C. Supplies	15,000.00	
C-9. Agricultural Supplies	300.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	300.00	
G. Equipment:		
G-3. Household Equipment	5,000.00	
G-5. Agricultural Equipment ...	300.00	
		<hr/>
Total (Item 2) Mansion and Grounds		\$ 45,900.00
Item 3. Law Enforcement:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Governor's Officers	300,587.00	
A-3. Special Payments	5,000.00	
Operating Expense	198,228.00	
		<hr/>
Total (Item 3) Law Enforcement		\$ 503,815.00
Intra-State Teletype Network		\$ 61,356.12

Item 4. Identification Bureau:

Maintenance of Bureau 10,000.00

For Salary and Wage Adjust-
ments 18,501.00

TOTAL (Governor's Office) \$ 773,423.62

Provided, That one of the Governor's Officers shall be assigned exclusively to the duty of investigating and determining the origin of forest fires.

SECTION 6

Lieutenant Governor's Office

For Administration:

A. Personal Service:

A-1. *Salaries*:

Lieutenant Governor\$ 1,000.00

Secretary (For Six Months) .. 2,877.00

B. Contractual Services:

B-2. Travel 4,000.00

TOTAL (Lieutenant Governor's
Office) \$ 7,877.00**SECTION 7**

Secretary of State

Item 1. Keeping State Records:

A. Personal Service:

A-1. *Salaries*:

Secretary of State\$ 15,000.00

Deputy Secretary of State 8,250.00

Corporation Clerk 5,570.00

Secretary 4,085.00

Clerk-Stenographer 4,086.00

Clerk-Stenographer 3,600.00

A-2. *Wages*:

Porter 549.00

A-3. *Special Payments*:

Clerical Help 400.00

B. Contractual Services:

B-2. Travel 1,200.00

B-3. Telegraph and Telephone ..	550.00	
B-4. Repairs	150.00	
B-7. Election Expense	14,000.00	
C. Supplies:		
C-4. Office Supplies	4,500.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	325.00	
D-3. Association Dues	100.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
Total (Item 1)		\$ 63,365.00
Item 2. Administration of Securities Act:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Deputy Securities Commissioner \$	8,800.00	
Accountant-Investigator	6,600.00	
Secretary	4,000.00	
Secretary	3,000.00	
A-3. Special Payments:		
Clerical Stenographic Help ...	500.00	
B. Contractual Services:		
B-2. Travel	500.00	
B-3. Telegraph and Telephone ..	550.00	
B-4. Repairs	100.00	
C. Supplies:		
C-4. Office Supplies	2,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	2,220.00	
D-2. Premiums on Bonds	36.00	
D-3. Association Dues	100.00	
G. Equipment:		
G-1. Office Equipment	300.00	
Total (Item 2) Administration of Securities Act		\$ 28,706.00
For Salary and Wage Adjustments.		2,262.00
GRAND TOTAL (Secretary of State)		\$ 94,333.00

SECTION 8

Comptroller General's Office

Item 1. Executive Control of Accounts:

A. Personal Service:

A-1. *Salaries:*

Comptroller General	\$ 15,000.00
Deputy Comptroller	10,000.00
Accountants	13,400.00
Auditors	21,800.00
Bookkeepers	24,800.00
Clerks	38,950.00

A-2. Wages 1,115.00

A-3. Special Payments:

Clerical Help 4,200.00

B. Contractual Services:

B-2. Travel 1,300.00

B-3. Telegraph and Telephone .. 1,600.00

B-4. Repairs 2,400.00

C. Supplies:

C-4. Office Supplies 8,500.00

D. Fixed Charges and Contributions:

D-1. Rents 39.00

D-2. Insurance 400.00

D-3. Contributions 50.00

G. Equipment:

G-1. Office Equipment 2,000.00

For Salary and Wage Adjust-
ments 5,008.00Total (Item 1) Executive Control of
Accounts

\$ 150,562.00

Item 2. Counties:

A. Personal Service:

A-1. *Salaries:*

County Auditors\$ 185,858.00

County Treasurers 185,858.00

B. Contractual Services:

B-5. Printing and Advertising ..	73,000.00
Settlements with Counties	6,000.00

Total (Item 2) Counties \$ 450,716.00

Item 3. Elections:

A. Personal Service:

A-1. Salaries:

Supervisors of Registration ...\$	69,000.00
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B. Contractual Services:

B-7. Election Expenses	95,000.00
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Total (Item 3) Elections \$ 164,000.00

Item 4. Confederate Pensions:

A. Personal Service:

A-3. Special Payments:

Per Diem of Board	\$ 100.00
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D. Fixed Charges and Contributions:

D-3. Contributions:

Confederate Pensions	20,000.00
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Total (Item 4) Confederate
Pensions \$ 20,100.00

TOTAL (Comptroller General's
Office) \$ 785,378.00

Provided, That widows of Confederate veterans, who have attained the age of ninety (90) years, shall receive as pension the sum of Six Hundred (\$600.00) Dollars per year each, and that all others entitled to pensions under statute shall receive Two Hundred (\$200.00) Dollars each per year. *Provided, Further*, That not more than one pension shall be allowed or paid after the death of a pensioner, the said amount after death being for the purpose of defraying the funeral expenses of the said pensioner, but such funeral expenses shall not exceed the sum of Three Hundred (\$300.00) Dollars. *Provided, Further*, That for the year 1964-65 pensions shall be paid directly from the office of the Comptroller General, in a single payment, and as early after the beginning of the fiscal year as may be practical.

Provided, Further, The Comptroller General is hereby authorized to deputize any clerk or clerks in his employ to sign, in his stead, warrants drawn against the treasurer in payment of fixed appropriated items including salaries and other routine payments, or to employ the use of a mechanical signer, and the State Treasurer is hereby authorized to accept such signatures when notified by the Comptroller General; *Provided,* That this provision shall in no way relieve the Comptroller General of responsibility.

Provided, That for the fiscal year 1964-65 the state shall pay on the salaries of County Auditors and Treasurers \$4,040.00 each.

Provided, Further, That for the fiscal year 1964-65 Commissioners of State and County General Elections shall receive as expenses the sum of \$150.00 per year, payable quarterly, and Managers and Clerks of such elections shall receive a per diem of \$6.00 per day; but Managers shall not be paid for more than one day for any election, and Clerks for not more than 3 days for any election.

SECTION 9

Attorney General

Item 1. For Administration:

A. Personal Service:

A-1. Salaries:

Attorney General	\$ 15,000.00
First Assistant Attorney General	11,100.00
Assistant Attorney General ...	11,000.00
Assistant Attorneys General (7)	62,525.00
Assistant Attorney General ...	9,825.00
Assistant Attorney General ...	9,725.00
Assistant Attorney General ...	7,725.00
Circuit Solicitors (15)	148,500.00
Assistant Attorney General (3)	6,000.00
Assistant Attorney General ...	7,500.00
Executive Secretary—Law Clerk	7,000.00
Secretaries (3)	12,544.50
Secretaries (2)	3,600.00
Clerk	3,000.00
Extra Stenographic Help	6,000.00
Law Clerk—P. T.	1,200.00
General Counsel—Public Service Commission	6,440.00

A-2. Wages:		
Porter	165.00	
B. Contractual Services:		
B-2. Travel	2,500.00	
Expense Allowance (Solicitors)	9,000.00	
B-3. Telegraph and Telephone ..	4,000.00	
B-4. Repairs	500.00	
C. Supplies:		
C-4. Office Supplies	1,250.00	
D. Fixed Charges and Contributions:		
D-1. Post Office Box Rent	24.00	
D-2. Insurance (Official Bonds) ..	125.00	
D-3. Contributions	150.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
For Salary and Wage Adjustments	14,769.00	
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Total (Item 1) for Administration		\$ 362,167.50
Item 2. For State Litigation:		
A. Personal Service:		
A-3. Special Payments	\$ 5,000.00	
B. Contractual Services:		
B-2. Travel	18,000.00	
B-5. Printing and Advertising ..	3,000.00	
C. Supplies:		
C-4. Office Supplies	7,000.00	
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Total (Item 2) For State Litigation		\$ 33,000.00
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TOTAL (Attorney General)		\$ 395,167.50

Provided, That the Attorney General is hereby authorized to contract for the collection of debts, claims or obligations due the State, or any of its departments or institutions.

Provided, Further, That, unless otherwise provided herein, no department or agency of the State government shall employ attorneys except upon the advice and with the consent of the Attorney General in writing. Any fees to be paid such attorneys shall be approved by the Attorney General. This shall not apply to employment of attorneys in special cases in inferior courts where the fee to be paid does not exceed Twenty-five (\$25.00) Dollars.

Provided, Further, That the Attorney General shall assign one of his assistants as counsel for the South Carolina Tax Commission, one to perform all necessary legal duties of the South Carolina Industrial Commission, one to perform necessary legal work for the Insurance Department and one as general counsel of the South Carolina Public Service Commission, but the personnel so designated shall also perform any other duties that may be assigned by the Attorney General.

Provided, Further, That the assessment against Public Utilities for the support of the Public Service Commission shall include a sufficient amount to cover the compensation and expenses of attorneys assigned by the Attorney General to the Public Service Commission.

Provided, Further, That necessary stenographic and other expenses of the attorneys assigned to other departments shall be borne by the Department to which the said attorneys are assigned.

SECTION 10

State Treasurer's Office

Item 1. Receiving and Disbursing

Funds:

A. Personal Service:

A-1. Salaries:

Treasurer	\$ 15,000.00
Assistant Treasurer	10,000.00
Deputy	6,270.00
Chief—Bond Section	6,600.00
Bond Clerk	5,500.00
Auditor	6,420.00
Corporation Clerk	5,280.00
Securities Clerk	5,280.00
Disbursing Clerk	3,710.00
Bookkeepers (3)	18,040.00
Senior Clerk	4,345.00

A-2. Wages:

Porter	565.40
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A-3. Special Payments:

Extra Clerical Help	1,300.00
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B. Contractual Services:

B-2. Travel	3,000.00
B-3. Telegraph and Telephone ..	1,500.00

B-4. Repairs	1,200.00	
B-5. Printing and Advertising ..	1,000.00	
C. Supplies:		
C-4. Office Supplies	2,500.00	
D. Fixed Charges and Contributions:		
D-1. Rents	90.00	
D-2. Insurance	4,200.00	
D-3. Contributions (Association Dues)	80.00	
D-4. Service Charges	100.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
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Total (Item 1) Receiving and Dis- bursing Funds		\$ 102,980.40
Item 2. Administration Expense Withholding Tax:		
A. Personal Service:		
A-1. Salaries:		
Auditor	\$ 6,400.00	
IBM Supervisor	5,500.00	
B. Contractual Services:		
B-4. Repairs	100.00	
C. Supplies:		
C-4. Office Supplies	1,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	6,860.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
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Total (Item 2) Administration Ex- pense Withholding Tax ..		\$ 20,860.00
Item 3. Payment of Bonded Debt:		
D. Fixed Charges and Contributions:		
D-4. Payment of Bonded Debt:		
Interest on Agricultural College Stock:		
July 1, 1964	\$ 5,754.00	
January 1, 1965	5,754.00	

Interest on Clemson Perpetual

Stock:

July 1, 1964	1,756.18
January 1, 1965	1,756.18

Principal and Interest Payment
on Whitten Village and
John G. Richards Ind. Sch.

Notes:

October 15, 1964 Principal ..	100,000.00
October 15, 1964 Interest ...	3,000.00
April 15, 1965 Interest	1,500.00

Principal and Interest Payments
on State Ports Bonds:

September 1, 1964 Principal .	300,000.00
September 1, 1964 Interest ..	71,400.00
March 1, 1965 Interest	66,300.00

Principal and Interest Payments
on State Ports Bonds:

September 1, 1964 Interest ..	65,000.00
March 1, 1965 Interest	65,000.00
March 1, 1965 Principal	250,000.00

Principal and Interest Payments
on State Ports Bonds:

December 1, 1964 Interest ..	89,250.00
June 1, 1965 Principal	500,000.00
June 1, 1965 Interest	89,250.00

Principal and Interest Payment
on State Ports Bonds:

December 1, 1964 Principal	50,000.00
December 1, 1964 Interest ..	13,500.00
June 1, 1965 Interest	12,750.00

Principal and Interest Payments
on Stadium Notes:

October 1, 1964 Principal ..	40,000.00
October 1, 1964 Interest ...	7,200.00
April 1, 1965 Interest	6,400.00

Principal and Interest Payments
on Stadium Notes:

August 1, 1964 Interest	6,000.00
August 1, 1964 Principal ..	20,000.00
February 1, 1965 Interest ..	5,500.00

Institutional and Armory Bonds

(1958):

August 1, 1964 Interest	17,000.00
February 1, 1965 Interest . .	17,000.00
February 1, 1965 Principal . .	212,500.00

Principal and Interest Payments

on Archives Building Note:

July 1, 1964 Principal	20,000.00
July 1, 1964 Interest	2,700.00
January 1, 1965 Interest	2,250.00

Principal and Interest Payments

on Medical College and

Board of Corrections Notes

(1963):

July 1, 1964 Interest	29,362.50
July 1, 1964 Principal	90,000.00
January 1, 1965 Interest . . .	27,337.50

Principal and Interest Payments

on S. C. School for Boys

Note:

July 1, 1964 Interest	2,250.00
January 1, 1965 Principal . .	6,000.00
January 1, 1965 Interest	2,250.00

Total (Item 3) Payment of Bonded

Debt \$ 2,205,720.36

For Salary and Wage Adjust-

ments 3,616.00

Total (State Treasurer's Office) . . .

\$ 2,333,176.76

Provided, That seven and one-half (7½%) per cent of the state income taxes collected between July 1, 1964 and June 30, 1965, shall be allocated to the Counties of the State. Within thirty (30) days after the close of each quarter, the State Treasurer shall remit to each county of the State its percentage of the net income of such income taxes collected, according to his records, during the quarter just preceding. If, because of refunds by the Tax Commission, or for any other reason, it should develop that an overpayment shall have been made to any or all of the counties, the State Treasurer is authorized and directed to withhold from subsequent payments a sufficient

amount to adjust same to the terms of this provision. The amount herein allocated to the counties shall be distributed in accordance with the provisions of Section 5, of Part II, Act No. 207, Acts of 1961.

SECTION 11

Adjutant General's Office

Item 1. Administration:

A. Personal Service:

A-1. *Salaries:*

Adjutant General	\$ 15,000.00
Assistant Adjutant General ...	7,000.00
Secretary	5,250.00
Personnel Officer	6,080.00
Operations Officer	6,080.00
Clerk	3,800.00
Clerk	3,200.00
Stenographers	6,400.00
Steno-Clerks	9,000.00
Clerks	9,000.00
Armorer	3,300.00

A-2. Wages 10,787.00

A-3. Special Payments 2,000.00

B. Contractual Services:

B-2. Travel 4,000.00

B-3. Telegraph and Telephone .. 3,850.00

B-4. Repairs 25,000.00

B-6. Water, Heat, Light and
Power 4,560.00

B-7. Other Contractual Services. 1,000.00

C. Supplies:

C-2. Fuel Supplies 4,000.00

C-4. Office Supplies 2,500.00

C-8. Motor Vehicle Supplies 950.00

C-12. Other Supplies 1,500.00

D. Fixed Charges and Contributions:

D-2. Insurance 12,500.00

D-3. Contributions (Assn. Dues) 1,225.00

D-4. Other Fixed Charges (Co.
Maintenance Fund) 65,000.00

Officers Candidate School (Pal Mil. Acad.)	9,000.00	
G. Equipment:		
G-1. Office Equipment	750.00	
G-8. Other Equipment	1,000.00	
For Salary and Wage Adjust- ments	3,495.00	
	<hr/>	
Total (For Administration)		\$ 227,227.00
		<hr/>
GRAND TOTAL (Adjutant General)		\$ 227,227.00

Provided, That the Adjutant General is authorized to compensate the Director of the S. C. Retirement System for administering social security coverage for the technician employees of the S. C. National Guard.

SECTION 12

University of South Carolina

For Maintenance	\$ 4,706,875.00	
Operation of Law Enforcement Training School	20,000.00	
Branch Operation	200,000.00	
Bureau of Governmental Re- search and Service	30,000.00	
Bureau of Business and Econ- omic Research	37,500.00	
School of Nursing Extension ..	102,000.00	
For Salary and Wage Adjust- ments	262,058.00	
	<hr/>	
Total (University of South Carolina)		\$ 5,358,433.00

SECTION 13

The Citadel

For Maintenance	\$ 1,882,698.00	
For Debt Service on Stadium Bonds	11,050.00	
For Salary and Wage Adjust- ments	117,085.00	
	<hr/>	
Total (The Citadel)		\$ 2,010,833.00

SECTION 14

Clemson College (Collegiate Activities)

For Maintenance	\$ 4,135,820.00
Engineering Research	70,000.00
Teaching and Research in Water and Sewerage	10,000.00
For Salary and Wage Adjust- ments	238,552.00
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Total Clemson College (Collegiate Activities)	\$ 4,454,372.00

SECTION 15

Winthrop College

For Maintenance	\$ 2,047,472.00
For Salary and Wage Adjust- ments	99,347.00
<hr/>	
Total (Winthrop College)	\$ 2,146,819.00

Provided, That the Trustees of Winthrop College are authorized to continue the employment of Mrs. D. B. Johnson, widow of the founder of Winthrop College, regardless of retirement age.

SECTION 16

State Medical College

Medical College Maintenance ..	\$ 1,327,485.00
For Research in Pediatrics ...	50,000.00
For Cancer Clinics	160,000.00
Cardiac Clinic	20,000.00
Psychiatric Residency Training	15,000.00
Medical College Hospital	1,430,191.00
School of Nursing	254,000.00
For Salary and Wage Adjust- ments	174,328.00
<hr/>	
Total (State Medical College)	\$ 3,431,004.00

Provided, That out of the amount appropriated in this section the sum of \$8,000.00, or so much thereof as may be necessary, shall be

used to cover the costs of scholarships provided in Act. No. 800 of the Acts of 1948.

Provided, Further, That the appropriation provided in this Section for Psychiatric Residency Training shall be used by the authorities of the State Medical College to provide stipends in a career type program of psychiatric residency training at rates of \$8,000.00 for the first year, \$9,000.00 for the second year and \$10,000.00 for the third year for each trainee. Any individual accepting such a residency shall legally obligate himself, or herself, to serve at least an equivalent amount of time, on completion of such training, in one of the State operated mental institutions, such as the South Carolina State Hospital, Pineland, Whitten Village, and the various community mental health clinics.

Provided, Further, That any balance on June 30, 1964, in the 1963-64 appropriation for the Medical College Hospital may be carried forward and expended for the same purpose during the fiscal year 1964-65.

SECTION 17

S. C. State College

For Maintenance	\$ 1,813,690.00
For Salary and Wage Adjustments..	71,514.00
<hr/>	
Total (S. C. State College)	\$ 1,885,204.00

Provided, That the Board of Trustees of S. C. State College is hereby authorized to establish and maintain Graduate, Law, and Medical departments, and such other departments as may be deemed practicable and necessary to provide training in all lines of college activities for students attending this College, and to fix tuition fees for such courses commensurate with the costs thereof and in line with similar tuition charges at other state institutions.

Provided, Further, That the authorities of this institution are authorized to institute the program of special education as recommended in their budget request for 1964-65.

SECTION 18

John de la Howe School

Administration	\$ 27,156.05
Education	57,014.98
Dietary	32,078.41

General Plant	89,409.54
Farm	19,404.68
Dairy	14,986.92
Infirmary	9,517.50
Laundry	4,471.45
For Salary and Wage Adjustments. . .	5,961.00
<hr/>	
TOTAL (John de la Howe School) . .	\$ 260,000.53

SECTION 19

School for the Deaf and the Blind

Administration	\$ 33,388.00
Education	366,073.45
Infirmary	9,684.00
General Plant	171,502.59
Dietary	116,498.00
For Salary and Wage Adjust- ments	8,436.00
<hr/>	
TOTAL (School for the Deaf and the Blind)	\$ 705,582.04

SECTION 20

Superintendent of Education's Office

Item 1. Superintendence:

A. Personal Service:

A-1. *Salaries:*

Superintendent of Education ..\$	15,000.00
Secretary	5,382.00
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Total Item 1 (Superintendence) . . . \$ 20,382.00

Item 2. State Board of Education:

A-3. Special Payments:

Per Diem of Board	\$ 2,500.00
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Total Item 2 (State Board of Edu-
cation) . . . \$ 2,500.00

Item 3. State Department of Education—
General:

Division of Special Services, Public

Information and School Administration:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 7,592.00
Secretary	3,406.00
Supervisor—Publications and Releases	5,486.00
School Lunch Program:	
Supervisor	7,379.00
Assistant Supervisor	5,772.00
Supervisor—Food Distribution	5,070.00
Asst. Supervisor—Food Distribution	6,000.00
Steno-Bookkeeper	3,666.00
Clerks (3)	9,334.00

Division of Finance:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 7,020.00
Supervisor—Budget and Per- sonnel	4,738.00
State Aid Accountant	5,200.00
Supervisor Statistical Reports	5,200.00
Supervisor Tabulating Installa- tion	4,602.00
Steno-Bookkeeper	3,848.00
Auditors	8,580.00
Supervisor—School Attendance	5,720.00
Punch Machine Operator	3,094.00
Punch Machine Operator	3,094.00
Machine Operator	3,796.00

A-2. Wages:

Porter	1,119.00
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A-3. Special Payments:

Accountants—Part Time	8,000.00
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B. Contractual Services:

B-1. Freight, Express and Delivery	25.00
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B-2. Travel	38,000.00
B-3. Telephone and Telegraph ..	5,500.00
B-4. Repairs	800.00
B-5. Printing:	
Printing—Educational Bulletins	7,200.00
C. Supplies:	
C-4. Office Supplies	15,000.00
C-7. Educational Supplies	300.00
D. Fixed Charges and Contributions:	
D-1. Rents	16,000.00
D-2. Insurance—Bond Premiums	168.68
D-3. Contributions (Association Dues)	1,200.00
G. Equipment:	
G-1. Office Equipment	1,500.00
Division of Teacher Education and Certification:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Director	7,488.00
Secretary	3,718.00
Supervisors (2)	11,310.00
Steno-Clerk	3,328.00
Chief Clerk	4,082.00
Trades Certificate Clerk	3,731.00
Recertification Clerk	3,328.00
Recertification Clerk	3,198.00
Steno-Clerk	3,328.00
Transcript Clerk	3,328.00
Clerk	3,016.00
A-3. Special Payments:	
Clerical Help	12,000.00
D. Fixed Charges and Contributions:	
D-4. Other Fixed Charges:	
Certification Expense	25,000.00
Division of Instruction:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Director	\$ 7,020.00
Secretary	2,860.00

STATUTES AT LARGE
GENERAL AND PERMANENT LAWS—1964

Field Supervisors (2)	11,964.00
Chief Supervisor Secondary Education	6,918.00
Secretarial Assistant	4,446.00
Secretary	3,406.00
Chief Supervisor of Elementary Education	6,786.00
Supervisor, Primary Education	5,824.00
Stenographer	2,938.00
Supervisor Physical Education	7,046.00
Supervisor Health Education ..	6,266.00
Stenographer	3,068.00
Coordinator—Negro Education	6,630.00
Assistant Coordinator—Negro Education	5,720.00
Stenographer	3,094.00
Asst. Supv.—Negro Elementary Education	5,278.00
Stenographer	3,016.00
Supervisor Library Science ...	5,400.00
Supervisor Adult Education ...	5,564.00
Supervisor Audio Visual Aid ..	5,850.00
Supervisor Special Education ..	6,500.00
Asst. Supv.—Special Education ..	7,500.00
Stenographer	3,094.00
State Supervisor of Music	7,500.00
Supervisor—Social Studies ...	8,500.00
Stenographer	3,400.00

Total Item 3 (State Department of Education—General)	\$ 435,852.68
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Item 4. Special Services:

A. Personal Service (Veterans'
Education):A-1. *Salaries:*

Director	\$ 5,954.00
Secretary	3,666.00
Stenographer	3,032.00

Hard-of-Hearing and Speech Therapy**Program:****A-1. Salaries:**

Supervisor	7,020.00
Stenographer	3,042.00
Technical Assistant	6,000.00
Hearing and Speech Correction- ist	5,512.00
Hearing and Speech Correction- ist	5,018.00
Field Representative	4,706.00

B. Contractual Services:

B-1. Printing for Public Schools ..	15,000.00
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D. Fixed Charges and Contributions:**D-4. Other Fixed Charges:**

Aid to Handicapped, Hard-of- Hearing, and Speech Ther- apy Program	18,000.00
Education of Mentally and Phys- ically Handicapped Chil- dren	30,000.00
Curriculum Development	20,000.00
State Aid for Teachers' Salaries	76,894,200.00
Non-Teaching Principals, Su- pervisors and Special Tea- chers	2,500,000.00
Supervision and Overhead	3,225,690.00
Maintenance and Operation	4,032,112.50
County Attendance Supervisors	161,920.00
County School Lunch Supervi- sors	161,920.00
School Lunch Program Aid	165,000.00
County Superintendents of Edu- cation	232,300.00
For Matching Federal Funds for Administration of Fi- nancial Assistance for Strengthening Science, Mathematics, and Modern Foreign Language Instruc- tion—Title III	35,000.00

For Matching Federal Funds for Guidance, Counseling and Testing; Identification and Encouragement of Able Students—Title V	13,474.00	
For Matching Federal Funds for Improvement of Statisti- cal Services of State Edu- cational Agencies—Title X	10,000.00	
Audio Visual Aids Library for Public Schools	50,000.00	
	<hr/>	
Total Item 4 (Special Services)		\$87,608,566.50
Item 5. Special Schools:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
Adult Schools	\$ 60,900.00	
Area Trade Schools Operating	480,300.00	
	<hr/>	
Total Item 5 (Special Schools)		\$ 541,200.00
Item 6. Vocational Education:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
Agriculture	\$ 1,282,400.00	
Home Economics	863,203.00	
Trades and Industries	682,322.00	
Expanding Vocational Curricular and Services	135,000.00	
Distributive Education	71,891.00	
Teacher Training	15,000.00	
Vocational Agriculture Camps	2,500.00	
Home Economics Girls' Camps	5,000.00	
Trades and Industries—Camp Improvements	2,500.00	
Matching Federal Funds Area Vocational Education Pro- grams	25,000.00	
	<hr/>	
Total Item 6 (Vocational Education)		\$ 3,084,816.00

Item 7. State Scholarship Grants:

(Act 297—1963)	\$ 250,000.00
For Salary and Wage Adjust- ments	33,879.00

TOTAL (Superintendent of Educa-
tion) \$91,977,196.18

Provided, That the number of teachers qualifying for State Aid in 1964-65 shall be determined on the basis of average daily attendance of either the year 1963-64 or 1964-65.

Provided, Further, That notwithstanding the amount listed in Item 4 as "State Aid for Teachers' Salaries" there is hereby appropriated for the fiscal year 1964-65 whatever amount is necessary to comply with the then existing salary schedule to those teachers who qualify by law for State Aid.

Provided, Further, that so much as may be necessary of the appropriation for payment of teachers' salaries, and for supervision and overhead, provided in Item 3 of this section, may be used to correct erroneous payments of prior years, which were due to improper classification or other justifiable causes.

Provided, Further, That the amount appropriated herein under Item 3 for County School Lunch Supervisors shall be used for the payment of salaries of one supervisor for each county at the rate of \$3,520.00 each per year, and no such salary shall be supplemented from funds provided in Item 3, of this Section, for "School Lunch Program Aid".

Provided, Further, That the amount appropriated herein under Item 3 for Aid to Counties in the School Lunch program shall be divided among the County Boards of Education of the State upon the basis of the number of schools participating in the School Lunch Program in each County in the school year 1963-64. *Provided, Further*, that travel expense of County School Lunch Supervisors shall be paid out of this appropriation at the prevailing rate of mileage allowed by the State. *Provided, Further*, that all expenditures of this appropriation by each of the County Boards of Education shall be made upon the joint recommendation of the County Superintendent of Education and the School Lunch Supervisor. Each County Superintendent shall, at the close of the fiscal year, submit to the State Superintendent of Education an itemized statement which shall indicate the disposition made of his county's share of this appropria-

tion and any balance brought forward from the preceding year. Such records of the County Boards of Education shall be kept available for auditing by the accounting personnel of the State Superintendent of Education's office.

Provided, Further, That no pupil shall be refused lunch because of inability to pay, such inability to be determined by the local school superintendent and lunchroom supervisor where the pupil attends.

Provided, Further, That in the distribution of State funds provided in this section for "Supervision and Overhead," for "Maintenance and Operation" and for "non-teaching principals, supervisors, and special teachers", no pupil shall be counted as enrolled, or as having been enrolled, in any public school of the State who has not attended such school at least 35 days during the school year on which the allocation of such funds is based. Provided, however, that a pupil shall be counted as enrolled only in the first district, or operating unit, he legally attended.

Provided, Further, That notwithstanding the amount listed in Item 3 as appropriated for "Supervision and Overhead," there is hereby appropriated, for the fiscal year 1964-65, an amount equal to the number of pupils enrolled in the public schools of the State during the fiscal year 1964-65, as determined by the State Superintendent of Education, multiplied by Five (\$5.00) Dollars.

Provided, Further, That notwithstanding the amount listed in Item 3 as appropriated for "Maintenance and Operation," or any Act or parts of Acts to the contrary notwithstanding, there is hereby appropriated for the fiscal year 1964-65 an amount equal to the number of pupils enrolled in the public schools of the State during the fiscal year 1964-65, as determined by the State Superintendent of Education, multiplied by Six Dollars and Twenty-Five Cents (\$6.25), and the State Superintendent of Education is hereby directed to allot and distribute this fund on that basis.

Provided, Further, That for the fiscal year 1964-65 the State shall pay on the salaries of County Superintendents of Education \$5,050.00 each on warrants approved by the State Superintendent of Education. In counties where schools are operated by the County Board of Education under a county unit system such payment for county superintendents of education may be applied by the Board of Education on the salary of the director or chief administrative officer of schools.

Provided, Further, That the authorities of the Area Trade Schools are authorized and directed to charge a tuition fee to students of not

exceeding \$30.00 per semester, and to use the proceeds of such tuition fees for operation and/or permanent improvements. The amount of the tuition fees to be used for permanent improvements, and the nature of such improvements, shall be approved by the State Budget and Control Board.

Provided, Further, That the amount appropriated herein under Item 3 for Education of Mentally and Physically Handicapped Children shall be used to reimburse school districts for expense incurred during the year 1964-65 in the operation of such programs in accordance with Act 882, Acts of 1958, but no district shall be reimbursed for more than 85% of such expense nor more than \$150.00 per child per year in average daily attendance.

Provided, Further, That the amount appropriated herein under Item 3 for Non-Teaching Principals, Supervisors, and Special Teachers shall be allotted to school districts on the basis of one Non-Teaching Principal, Supervisor, or Special Teacher for each 30 state aid Teaching Positions, and shall receive a proportionate part of a salary for any fraction thereof, for which each school district qualifies and employs. The amount allotted for each such Non-Teaching Principal, Supervisor, and/or Special Teacher shall be based on the state aid schedule in Section 21-258, Code of Laws of South Carolina, 1962, as amended in this Section, notwithstanding the provisions of Section 21-257, Code of Laws of South Carolina, 1962.

Provided, Further, That the State Budget and Control Board may approve supplements from Federal Funds to State appropriated salaries of personnel who are working with the Federal Projects and who are below existing salaries for comparable services in other state agencies and institutions.

SECTION 21

South Carolina Opportunity School

Administration	\$ 23,844.53
Instruction	46,006.66
Dietary	34,499.80
Infirmary	2,492.46
General Plant	77,577.82
Vocational Rehabilitation Diag- nostic Center	23,283.73

For Salary and Wage Adjust- ments	8,680.00	
<hr/>		
TOTAL (S. C. Opportunity School)		\$ 216,385.00

SECTION 22

State Agency of Vocational Rehabilitation

Administration	\$ 22,700.00	
Case Services to Clients	687,300.00	
For Salary and Wage Adjust- ments	8,948.00	
<hr/>		
TOTAL (State Agency of Voc. Re- habilitation)		\$ 718,948.00

Provided, That any balance in the appropriation for Vocational Rehabilitation for the year 1963-64, but not in excess of 5% thereof, may be carried forward and expended for the same purposes during the fiscal year 1964-65.

SECTION 23

State Educational Finance Commission

Item 1. Commission:

A. Personal Service:

A-3. Special Payments:

Per Annum of Commission ...	\$ 500.00
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Item 2. General Administration:

A. Personal Service:

A-1. *Salaries*:

Director	\$ 10,494.00
Finance Officer	8,250.00
Secretary	4,593.00
Asst. Finance Officer	5,500.00
Field Consultant	5,561.00
Clerk	3,498.00
Stenographer (P. T.)	770.00

A-2. Wages	319.00
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B. Contractual Services:

B-2. Travel	10,000.00
B-3. Telegraph and Telephone ..	2,500.00
B-4. Repairs	500.00

C. Supplies:		
C-4. Office Supplies	4,000.00	
C-8. Motor Vehicle Supplies	550.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
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Total Item 2 (General Administration)		\$ 57,535.00
Item 3. Transportation:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
School Bus Operating Expense	\$ 6,149,460.00	
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Total Item 3 (Transportation)		\$ 6,149,460.00
Item 4. School Buildings:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Supervisor, Schoolhouse Planning	\$ 8,000.00	
Assistant Supervisor, Schoolhouse Planning	6,982.00	
Secretary	3,600.00	
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
County Surveys	2,500.00	
School Building Aid	12,884,460.00	
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Total Item 4 (School Buildings) ..		12,905,542.00
Item 5. Debt Service:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
State School Bonds:		
Principal	\$ 1,060,000.00	
Interest	158,625.00	
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Total Item 5 (Debt Service)		\$ 1,218,625.00
For Salary and Wage Adjustments		2,828.00
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GRAND TOTAL (State Educational Finance Commission)		\$20,334,490.00

Provided, That, notwithstanding the amount listed in Item 4 of this Section, as appropriated for "School Building Aid," there is hereby appropriated for the fiscal year 1964-65 an amount equal to the number of pupils enrolled in the schools of the State during the fiscal year 1963-64, as determined by the State Department of Education, multiplied by Twenty (\$20.00) Dollars. *Provided, That* in the allocation of State Funds provided in this Section for "School Building Aid" no pupil shall be counted as enrolled, or as having been enrolled, in any public school of the State who has not attended such school at least 35 days during the school year on which the allocation of such funds is based.

Provided, Further, That principal and interest payments due on any school bonds, the proceeds of which have not been allocated to the counties of the State, shall be made from any such unallocated funds remaining in the State Treasury.

Provided, Further, That the State Educational Finance Commission is hereby authorized to sell used school buses that may be determined to be no longer safe or economical in transporting school children, and the proceeds of such sales may be expended for such additional equipment or the operation thereof.

Provided, Further, That for the school year 1964-65 student school bus drivers shall be paid at the rate of \$35.00 per month, and adult drivers at not exceeding \$60.00 per month from State Funds. *Provided, Further,* That the number of adult bus drivers paid from State Funds in any county shall not be in excess of 10% of the total number of bus drivers in such county.

Provided, Further, That a certificate of merit, signed by the appropriate state and local officer, shall be awarded annually to any student driver who has a perfect driving record, with no accident for which he is responsible, according to the determination of the State Highway Department, and with no infractions of rules or regulations. The certificate of merit shall be awarded at the commencement exercises of the school which the driver attends, and with each such certificate there shall be awarded \$25.00 in cash. The winners of the certificates and cash awards shall be selected by local school officials and County Boards of Education after consultation with the officials of the State Highway Department and an examination of its records pertaining to bus drivers.

Provided, Further, That the State Educational Finance Commission is directed to charge against the responsible local operating unit the

cost of any gasoline and oil delivered to school tanks and not properly accounted for, after making reasonable allowance for evaporation.

Provided, Further, That out of the appropriation in this section for School Bus Operating Expense, the Commission may purchase such number of service trucks as can be used to advantage in administering the transportation program.

Provided, Further, That any balance on June 30, 1964 in the appropriation for School Bus Operating Expense may be carried forward and budgeted for the purpose of Shop Construction and Equipment during the next fiscal year.

SECTION 24

S. C. Educational Television Commission

Personal Service	\$ 414,930.00
Contractual Services	893,671.00
Supplies	56,600.00
Fixed Charges and Contributions	30,345.00
Equipment	71,300.00
Leasehold Improvements	5,000.00
Contingencies	25,000.00
For the Acquisition and/or Operation of an Open Circuit Outlet for the Midland Section of the State	75,000.00
For Salary and Wage Adjustments	17,735.00

TOTAL (S. C. Educational Television Comm.)	\$ 1,589,581.00
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SECTION 25

South Carolina Library Board

For Administration:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 6,750.00
Technical Service Librarian ...	5,500.00
Field Service Librarian	5,500.00

Library Assistant	3,630.00
Secretary-Bookkeeper	3,264.00
Catalog Assistant	3,264.00
Accession Assistant	3,103.00
A-2. Wages:	
Janitor	282.00
A-3. Special Payments:	
Travel and Per Diem of Board Members	200.00
B. Contractual Services:	
B-1. Freight, Express and Deliveries	50.00
B-2. Travel	2,500.00
B-3. Telegraph and Telephone ..	400.00
B-4. Repairs	150.00
B-5. Printing and Advertising ..	300.00
C. Supplies:	
C-4. Office Supplies	1,200.00
C-8. Motor Vehicle Supplies	200.00
D. Fixed Charges and Contributions:	
D-2. Insurance	300.00
D-3. Contributions (State Aid) ..	65,000.00
Service to the Blind	8,610.00
G. Equipment:	
G-1. Office Equipment	400.00
G-4. Motor Vehicles and Equipment	200.00
G-7. Educational Equipment (Books for State Aid) ...	5,000.00
For Salary and Wage Adjustments	1,565.00
TOTAL (South Carolina Library Board)	\$ 117,368.00

SECTION 26

South Carolina Schoolbook Commission

For Administration:

A. Personal Service:

A-1. *Salaries:*

Director and Executive Secretary	\$ 8,558.00
Assistant Director	6,724.00
Secretary	4,168.00
Bookkeepers (3)	11,252.00
Stenographer-Bookkeeper	3,777.00
Auditors (4)	26,279.00

A-3. Special Payments:

Per Diem of Board	500.00
Clerical Help	2,200.00

B. Contractual Services:

B-1. Freight, Express and Deliveries	1,800.00
B-2. Travel	6,400.00
B-3. Telegraph and Telephone ..	650.00
B-4. Repairs	250.00
B-5. Printing and Advertising ..	75.00

C. Supplies:

C-4. Office Supplies	5,400.00
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D. Fixed Charges and Contributions:

D-2. Insurance	260.00
D-3. Contributions	20.00

G. Equipment:

G-1. Office Equipment	700.00
G-4. Motor Vehicles and Equipment	75.00
For Salary and Wage Adjustments	3,038.00

TOTAL (South Carolina Schoolbook Commission) \$ 82,126.00

Provided, That the Director of the Schoolbook Commission may expend from textbook rentals whatever amount is necessary in connection with the repair, testing and redistribution of used textbooks.

SECTION 27

Advisory Committee for Technical Training

Administration	\$ 60,265.00
Technical Education Centers ..	1,447,985.00
Technical Services	27,500.00
Special Schools	274,250.00
For Salary and Wage Adjust- ments	41,972.00

Total (Advisory Committee for Technical Training)	\$ 1,851,972.00
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SECTION 28

Archives Department

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 10,150.00
Assistant Director	7,350.00
Secretary and Bookkeeper	5,000.00
Asst. Secretary and Bookkeeper	3,500.00
Librarian	3,900.00
Museum Curator	3,500.00
Editorial Assistants (2)	8,707.00
Archivist	6,000.00

A-2. *Wages:*

Superintendent of Building and Grounds	4,500.00
Janitor	2,500.00
Document Repairs	10,225.00
Photographer	3,700.00
Historical Marker and Research Specialist	5,000.00

A-3. *Special Payments:*

Clerical Help	6,700.00
Travel and Per Diem	650.00

B. Contractual Services:

B-1. Freight, Express and Deliveries	200.00
B-2. Travel	750.00

B-3. Telegraph and Telephone ..	800.00	
B-4. Repairs	6,000.00	
B-5. Printing and Editing His- torical Documents	6,000.00	
B-6. Water, Heat, Light and Power	7,500.00	
C. Supplies:		
C-4. Office Supplies	2,000.00	
C-5. Household, Laundry and Janitorial Supplies	700.00	
C-8. Motor Vehicle Supplies ...	200.00	
C-9. Agricultural Supplies	100.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	500.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
G-4. Motor Vehicles and Equipment	100.00	
G-7. Educational Equipment	2,000.00	
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Total Item 1 (Administration)		\$ 109,232.00
Item 2. Calhoun Papers Project:		
For Administration:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Regular Staff	\$ 15,000.00	
B. Contractual Services:		
B-2. Travel	500.00	
B-4. Repairs	50.00	
C. Supplies:		
C-4. Office Supplies	150.00	
G. Equipment:		
G-7. Educational Equipment	150.00	
<hr/>		
Total Item 2 (Calhoun Papers Project)		\$ 15,850.00
For Salary and Wage Adjust- ments		4,583.00
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GRAND TOTAL (Archives Depart- ment)		\$ 129,665.00

Provided, That the Commission is authorized to supply one free copy of each new publication to the libraries of the University of South Carolina, The Citadel, Clemson, Winthrop, and S. C. State College; to each member of the Commission and its Directors; to the State Library; to each public library which is approved for a cash allotment by the South Carolina State Library Board; and to each former member of the Commission living in South Carolina.

Provided, Further, That the proceeds of sales of publications by the Archives Department shall be deposited in a special account in the State Treasury, and may be used by this department to cover the cost of additional printing.

SECTION 29

State Library

For Administration:

A. Personal Service:

A-1. Salaries:

Librarian	\$ 5,629.00
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A-2. Wages:

Porter Service	2,200.00
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Laborers	500.00
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A-3. Special Payments:

Clerical Help	750.00
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B. Contractual Services:

B-1. Freight, Express and Deliveries	500.00
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B-2. Travel	400.00
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B-3. Telegraph and Telephone ..	200.00
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B-4. Repairs	700.00
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B-5. Printing, Advertising and Binding	250.00
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C. Supplies:

C-4. Office Supplies	500.00
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D. Fixed Charges and Contributions:

D-2. Insurance	10.00
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D-3. Contributions (Association Dues)	30.00
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G. Equipment:

G-1. Office Equipment	200.00
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G-7. Educational Equipment	500.00
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G-8. Other Equipment	50.00
For Salary and Wage Adjust- ments	392.00

TOTAL (State Library) \$ 12,811.00

Provided, that in addition to the distribution of the Acts and Joint Resolutions as provided for in Section 1-564, Code of Laws of South Carolina, 1962, each county Solicitor shall receive one copy.

SECTION 30

Confederate Relic Room

For Administration:

A. Personal Service:

A-1. Salaries:

Custodian\$ 3,502.00

A-3. Special Payments:

Clerical Help 140.00

B. Contractual Services:

B-3. Telegraph and Telephone .. 185.00

B-4. Repairs 60.00

C. Supplies 40.00

G. Equipment:

G-1. Office Equipment 40.00

TOTAL (Confederate Relic Room) ... \$ 3,967.00

SECTION 31

State Department of Public Welfare

Item 1. Administration \$ 1,700,000.00

Item 2. Cash Assistance:

(a) Old Age 2,700,000.00

(b) Blind 300,000.00

(c) Dependent Children 1,050,000.00

(d) Aid to Permanently and
Totally Disabled 1,100,000.00

(e) Foster Home Care 550,000.00

Total (Item 2) Cash Assistance ... \$ 5,700,000.00

Item 3. General Relief \$ 475,000.00

Item 4. Miscellaneous:

(a) Eye Examination and Treatment of and Training Blind	\$ 200,000.00
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Item 5. Care of Persons Transferred from Confederate Home ..	6,000.00
For Salary and Wage Adjust- ments	69,122.00

TOTAL (State Department of Public
Welfare) \$ 8,150,122.00

Provided, That any balances of appropriations for this Department, which are unexpended on June 30, 1964, may be carried forward and expended during the fiscal year 1964-65 for such purposes as may be deemed by the Board to be in the best interest of the work of the Department. *Provided, However*, That the amount carried forward shall not exceed five per cent (5%) of the amount appropriated for the fiscal year 1963-64 in any category.

Provided, Further, That the basis of monthly benefit payments during the year 1963-64 in the old age category shall be maintained during the year 1964-65.

Provided, Further, That the sums herein appropriated shall be so distributed that every applicant who is found eligible shall receive some benefit.

SECTION 32

South Carolina Mental Health Commission

Item I. Office of the State Director of Mental Health	\$ 39,216.00
Item II. Administrative Services ..	284,174.00
Item III. Community Mental Health Services	397,983.00
Item IV. Psychiatric Hospital Services:	
A. South Carolina State Hospital—Columbia ..	5,749,166.20
B. South Carolina State Hospital—State Park ..	2,894,865.80

Item V. Mental Retardation Services	572,571.00	
For Salary and Wage Adjust- ments	320,350.00	
	<hr/>	
TOTAL (Mental Health Commission)		\$10,258,326.00

SECTION 33

Whitten Village

Personal Service	\$ 2,048,832.00	
Other Operation Expense	955,640.50	
For Salary and Wage Adjust- ments	89,450.00	
	<hr/>	
TOTAL (Whitten Village)		\$ 3,093,922.50

Provided, That the Board is authorized to continue the employment of the present Superintendent, notwithstanding the requirements of law concerning the retirement of State employees.

SECTION 34

South Carolina Sanatorium

Administration	\$ 61,000.00	
Care of Patients	557,200.00	
Education—Child Patients	5,500.00	
Dietary	242,500.00	
Plant Maintenance	156,000.00	
Laundry	21,600.00	
Dairy and Farm	61,000.00	
County Sanatoria	40,000.00	
For Salary and Wage Adjust- ments	37,627.00	
	<hr/>	
TOTAL (South Carolina Sanatorium)		\$ 1,182,427.00

Provided, That the State of South Carolina shall pay to the County Tubercular Sanatoriums in Charleston, Richland, Greenville and Spartanburg Counties, \$1.50 per day for each tubercular patient hospitalized and receiving treatment in such sanatorium and \$1.50 per day shall be deducted from the amount payable to county Sanatoria for each patient admitted to the South Carolina Sanatorium from such county: Provided, However, That all payments made by the State

under the provisions hereof shall be approved by the South Carolina Sanatorium. And, in order to provide a means whereby the South Carolina Sanatorium may act intelligently in approving such payments, the diagnosis and condition of patients paid for by the State, and the standard of such sanatoria shall be subject to such checks and inspection at such intervals as the South Carolina Sanatorium may prescribe.

Provided, Further, That applicants for admission to this institution shall be referred to the State Department of Public Welfare for investigation as to their ability to pay for treatment at the institution and such applicants who are found able to pay shall be charged an appropriate fee for such services.

SECTION 35

S. C. Alcoholic Center

Operation and Maintenance of Treatment and Rehabilitation Center	\$ 140,531.00
Administration and Adult Education	48,225.00
For Salary and Wage Adjustments	5,878.00
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TOTAL (S. C. Alcoholic Center) ...	\$ 194,634.00

Provided, That all revenues received from patient care may be retained and used for operation of the institution.

SECTION 36

Children's Bureau

For Administration:

A. Personal Service:

A-1. Salaries:

Supervisor	\$ 7,150.00
Director of Case Work	6,700.00
Field Workers	37,860.00
Secretary	3,850.00
Office Manager—Bookkeeper ..	4,833.00
Stenographer	3,372.00
Stenographer and File Clerk ..	3,137.00

A-3. Special Payments:	
Per Diem and Travel—Board of	
Directors	1,500.00
Professional Fees	5,500.00
Maternity and Hospital Care ..	10,000.00
In Service Training—Educa-	
tional Leave	3,000.00
B. Contractual Services:	
B-2. Travel:	
For Employees	13,000.00
For Children (Care and Sub-	
sistence)	16,000.00
B-3. Telegraph and Telephone ..	1,000.00
B-4. Repairs	300.00
B-5. Printing and Advertising ..	300.00
C. Supplies:	
C-4. Office Supplies	1,000.00
C-6. Medical Supplies	300.00
C-7. Educational Supplies	50.00
C-10. Clothing and Dry Goods ..	750.00
D. Fixed Charges and Contributions:	
D-3. Contributions	175.00
G. Equipment:	
G-1. Office Equipment	1,000.00
For Salary and Wage Adjust-	
ments	3,345.00
TOTAL (Children's Bureau)	
	\$ 124,122.00

SECTION 37

South Carolina Probation, Parole and Pardon Board

For Administration:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 10,285.00
Supervisor of Paroles	9,075.00
Assistant Director	7,260.00
Field Supervisor	6,388.00
Fugitive Officer	6,388.00
Secretary	3,993.00

Stenographer	3,433.00
Steno-File Clerk No. 1	3,433.00
Steno-File Clerk No. 2	3,069.00
Stenographers For Probation Officers	79,814.00
Probation Officers	283,144.00
A-3. Special Payments:	
Per Diem of Board	2,000.00
B. Contractual Services:	
B-2. Travel	57,500.00
B-3. Telegraph and Telephone ..	2,000.00
B-4. Repairs	300.00
C. Supplies:	
C-4. Office Supplies	5,000.00
D. Fixed Charges and Contributions:	
D-2. Insurance	200.00
D-3. Contributions (Association Dues)	100.00
G. Equipment:	
G-1. Office Equipment	1,000.00
For Salary and Wage Adjust- ments	20,814.00
TOTAL (South Carolina Probation, Parole and Pardon Board)	\$ 505,196.00

SECTION 38

Department of Corrections

Administration	\$ 150,000.00
Operation of Penal Institutions	\$ 1,657,550.00
For Salary and Wage Adjustments...	56,827.00
TOTAL (Department of Corrections)	\$ 1,864,377.00

Provided, That the salaries of the Superintendent and of the Captain of the Guard shall be fixed by the Board of Directors of the Department of Corrections.

Provided, Further, That from and after the passage of this Act no charge shall be made against the counties of the State for the maintenance of prisoners admitted to the Department of Corrections for safekeeping for the first 90 days of such safekeeping, when a proper

showing is made by the county authorities that there is sufficient necessity for the admission of such prisoners, but a charge of One Dollar and Thirty-five (\$1.35) Cents for each day in excess of ninety (90) days shall be made to the county from which such prisoner is committed, and such charge shall be paid monthly.

Provided, Further, That, when any prisoner is sentenced and is committed to the Department of Corrections no charge shall be made against a county.

Provided, Further, That, after consultation with the State Forester, mature trees and trees suitable for pulp wood or fence posts may be sold in a program of forest improvement. The funds derived from any such sale shall be deposited with the State Treasurer to be placed in the General Fund.

Provided, Further, That revenue derived wholly from the sale of farm products may be retained by the Department of Corrections and used in its operation.

Provided, Further, Whenever a convict shall be discharged from the Department of Corrections the Board of Directors thereof shall furnish such convict with a suit of common clothes, if deemed necessary, and transportation from the Department of Corrections to his home, if his home be within this State, or to the County from which he was sentenced if his home be without this State.

SECTION 39

State Industrial Schools' Board

Item 1. For Administration:

A. Personal Service:

A-3. Special Payments:

Per Diem and Expense of Board

Members	\$	4,000.00
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Item 2. Juvenile Placement Bureau:

A. Personal Service:

A-1. Salaries:

Director	\$	7,439.00
Assistant Director		5,720.00
Secretary		3,591.00
Workers		19,216.00

B. Contractual Services:

B-2. Travel	14,000.00
B-3. Telegraph and Telephone ..	350.00

C. Supplies:		
C-4. Office Supplies	550.00	
D. Fixed Charges and Contributions:		
D-1. Rent	600.00	
D-2. Insurance	30.00	
G. Equipment:		
G-1. Office Equipment	100.00	
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Total (Item 2) Juvenile Placement Bureau		\$ 51,596.00
For Salary and Wage Adjustments ..		1,798.00
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TOTAL (State Industrial Schools' Board)		\$ 57,394.00

SECTION 40

South Carolina School for Boys

Personal Service	\$ 190,555.00	
Contractual Services	15,653.00	
Supplies	75,795.00	
Fixed Charges	5,325.00	
Equipment	13,600.00	
Vocational Training	36,246.00	
For Salary and Wage Adjustments	10,190.00	
<hr/>		
TOTAL (S. C. School for Boys) ...		\$ 347,364.00

Provided, That revenue derived from the sale of farm products grown at this institution shall be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 41

Industrial School for Girls

Personal Service	\$ 84,700.00	
Contractual Services	13,900.00	
Supplies	44,900.00	
Fixed Charges	2,850.00	
Equipment	2,988.00	

For Salary and Wage Adjust- ments	4,246.00
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TOTAL (Industrial School for Girls)	\$ 153,584.00
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Provided, That revenue derived from the sale of farm products grown at this institution shall be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 42

John G. Richards Industrial School

Personal Service	\$ 130,320.00
Contractual Services	14,380.00
Supplies	65,100.00
Fixed Charges	4,300.00
Equipment	15,750.00
Vocational Training	27,406.86
For Salary and Wage Adjust- ments	6,638.00

TOTAL (John G. Richards Industrial School)	\$ 263,894.86
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Provided, That revenue derived from the sale of farm products grown at this institution shall be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 43

Industrial School for Negro Girls

Personal Service	\$ 58,000.00
Contractual Services	7,050.00
Supplies	29,700.00
Fixed Charges	675.00
Equipment	1,375.00
For Salary and Wage Adjust- ments	2,878.00

TOTAL (Industrial School for Negro Girls)	\$ 99,678.00
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Provided, That revenue derived from the sale of farm products grown at this institution shall be remitted to the State Treasurer for

credit to this appropriation and used for the operation of the said institution.

SECTION 44

State Budget and Control Board

Section 1. Finance Division:

A. Personal Service:

A-1. *Salaries:*

General Administration:

State Auditor	\$ 15,600.00
Special Assistant	12,000.00
Secretary	5,260.00
Budget Officer	10,720.00
Assistant to Budget Officer ...	4,776.00

Division of Post Audits:

Auditor of Public Accounts ..	12,000.00
Auditors	43,270.00

Division of Engineering:

Chief Engineer	10,000.00
Engineer—Structural	8,500.00
Engineer—Mechanical	7,500.00
Steno-Clerk	4,360.00

A-2. Wages:

Porter Service	1,144.00
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A-3. Special Payments:

Clerical Help	2,000.00
Departmental Surveys	60,000.00
Organizational Unit	30,000.00

B. Contractual Services:

B-2. Travel	7,500.00
B-3. Telegraph and Telephone ...	1,600.00
B-4. Repairs	1,000.00

C. Supplies:

C-4. Office Supplies	2,300.00
C-8. Motor Vehicle Supplies	900.00

D. Fixed Charges and Contributions:

D-1. Rents	1,500.00
D-2. Insurance	950.00
D-3. Contributions (Association Dues)	50.00

E. Civil Contingent Fund	150,000.00	
G. Equipment:		
G-1. Office Equipment	500.00	
For Salary and Wage Adjust-		
ments	6,598.00	
TOTAL Section 1 (Finance Division)		\$ 400,028.00
Section 2. Division of General Serv-		
ices:		
Item 1. Administration:		
A-1. <i>Salaries:</i>		
Division Director	\$ 13,500.00	
Director of Insurance	9,000.00	
Special Agents	16,000.00	
Secretary and Bond Clerk	4,830.00	
Insurance Clerk	4,130.00	
Clerk and Bookkeeper	4,410.00	
Steno-Clerk	3,550.00	
Steno-Clerk	3,550.00	
A-3. Special Payments:		
Clerical Help	1,300.00	
B. Contractual Services:		
B-2. Travel	1,250.00	
B-3. Telegraph and Telephone . .	1,650.00	
B-4. Repairs	600.00	
B-5. Printing and Advertising . .	25.00	
C. Supplies:		
C-4. Office Supplies	1,600.00	
C-8. Motor Vehicle Supplies . . .	1,000.00	
G. Equipment:		
G-1. Office Equipment	500.00	
Total (Item 1) Administration		\$ 66,895.00
Item 2. State Buildings and Grounds:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
State Electrician	\$ 6,996.00	
Asst. Electrician	5,655.00	
Asst. Electrician	4,200.00	

Superintendent of Buildings and Grounds	8,000.00
Asst. Superintendent (Office Buildings)	4,664.00
Mechanic	3,332.00
Gardener	4,000.00
Day Policeman	5,625.00
Night Watchmen	21,798.00
Maintenance Men	9,015.00
A-2. Wages:	
Janitors and Cleaners	95,212.00
Janitress—State House	973.00
Elevator Operators	11,473.00
Window Washers	1,320.00
Laborers	10,700.00
A-3. Special Payments:	
Temporary Help	2,200.00
Horticulturist (P. T.)	2,400.00
B. Contractual Services:	
B-1. Freight, Express and Deliv- eries	100.00
B-2. Travel	385.00
B-3. Telegraph and Telephone ..	547.00
B-4. Repairs—General	32,000.00
Repairs—State House	20,000.00
B-6. Water, Heat, Light and Power	160,000.00
C. Supplies:	
C-2. Fuel and Refrigeration Supplies	16,000.00
C-4. Office Supplies	420.00
C-5. Household, Laundry and Janitorial Supplies	6,200.00
C-8. Motor Vehicle Supplies	200.00
C-9. Agricultural Supplies	2,250.00
C-10. Clothing and Dry Goods ..	1,000.00
C-11. Maintenance Supplies	7,000.00
C-12. Other Supplies	12,500.00
D. Fixed Charges and Contributions:	
D-1. Rents	12.00

D-2. Insurance	8,032.00	
D-4. Amortization of Office Building Debt	300,000.00	
G. Equipment	5,000.00	
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Total (Item 2) State Buildings and Grounds		\$ 769,209.00
For Salary and Wage Adjustments		11,674.00
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Total (Section 2) Division of General Services		\$ 847,778.00
Section 3. Division of Office Supplies and Printing:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 6,996.00	
Secretary	4,481.40	
A-2. Wages:		
Delivery Service	2,080.00	
A-3. Special Payments:		
Clerical Help	270.00	
B. Contractual Services:		
B-2. Travel	200.00	
B-3. Telegraph and Telephone ..	350.00	
B-5. Printing and Advertising:		
Printing State Documents	175,000.00	
University Library—Exchange.	1,000.00	
C. Supplies:		
C-4. Office Supplies	200.00	
D. Fixed Charges and Contributions:		
D-1. Rents (Box Rent)	12.00	
G. Equipment:		
G-1. Office Equipment	100.00	
For Salary and Wage Adjustments	574.00	
<hr/>		
Total (Section 3) Division of Office Supplies and Printing		\$ 191,263.40

Section 4. Division of Purchasing:

Item 1. Purchasing:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 10,005.00
Assistant Director	8,337.00
Purchasing Assistants	18,000.00
Secretary	5,005.00
Clerks, Stenographers and Typists	13,758.00

B. Contractual Services:

B-2. Travel	600.00
B-3. Telegraph and Telephone ..	1,400.00
B-4. Repairs	300.00
B-5. Printing and Advertising ..	550.00

C. Supplies:

C-4. Office Supplies	4,500.00
C-8. Motor Vehicle Supplies	225.00

D. Fixed Charges and Contributions:

D-1. Rents	24.00
D-2. Insurance	100.00
D-3. Contributions (Assn. Dues)	100.00

G. Equipment:

G-1. Office Equipment	500.00
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Total (Item 1) Purchasing	\$ 63,404.00
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Item 2. Surplus Property:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 9,171.00
Field Agents (2)	12,921.00
Secretary	4,002.00
Steno-Clerk	3,335.00

B. Contractual Services:

B-2. Travel	3,500.00
B-3. Telegraph and Telephone ..	750.00
B-4. Repairs	100.00

C. Supplies:

C-4. Office Supplies	1,000.00
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D. Fixed Charges and Contributions:

D-3. Contributions (Ass'n Dues) 50.00

Total (Item 2) Surplus Property . .	\$ 34,829.00
For Salary and Wage Adjustments	3,926.00

Total (Section 4) Division of Purchasing	\$ 102,159.00
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Section 5. Retirement:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 13,494.00
Assistant Director	8,875.00
Secretary	4,944.64
Chief Accountant	6,605.39
General Bookkeeper—Supervisor	5,155.15
Junior Accountant	4,856.33
Senior Bookkeeper	4,860.57
Steno-Clerks	39,500.78
Posting Machine Operators (4)	14,400.00
Register Clerk	3,633.53
Typist-Clerks	13,793.34
Bookkeeper	3,633.83
Senior Clerk	3,487.37
Disbursement Clerk	3,487.37
Junior Clerks	10,445.35
Retirement Clerk	3,487.37

A-2. Wages:

Messenger-Janitor	1,831.62
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A-3. Special Payments and Clerical Help:

Actuary	12,400.00
Medical Board	3,356.00
Clerical Help	844.00

B. Contractual Services:

B-2. Travel	2,500.00
B-3. Telegraph and Telephone . .	1,650.00

B-4. Repairs	3,000.00	
B-7. Other	75.00	
C. Supplies:		
C-4. Office Supplies	10,500.00	
Postage	7,375.00	
C-8. Motor Vehicle Supplies	750.00	
D. Fixed Charges and Contributions:		
D-1. Rents	3,925.80	
D-2. Insurance	600.00	
D-3. Contributions	95.00	
G. Equipment:		
G-1. Office Equipment	8,000.00	
For Salary and Wage Adjustments	7,033.00	
Total (Administration)		\$ 208,595.44
State Employer Contribution:		
State Retirement System	18,725,000.00	
State Police Officers Retirement System	232,000.00	
Retired Persons under old P. I. & A. Fund	360,000.00	
Total (State Employer Contribution)		\$19,317,000.00
Total (Section 5) Retirement		\$19,525,595.44
TOTAL (State Budget and Control Board)		\$21,066,823.84

Provided, That warrant requisitions for the disbursement of funds appropriated in this Section shall be approved by the respective division heads. *Provided, Further*, That the Civil Contingent Fund, appropriated in Item 1 of this Section, shall be expended only upon unanimous approval of the State Budget and Control Board, and upon warrant requisitions signed as directed by the State Budget and Control Board, to meet emergency and contingent expense of the State Government. *Provided, Further*, That none of the Civil

Contingent Fund shall be used to increase the salary of any State employee when such salary is specifically fixed in this Act.

Provided, Further, That the State Budget and Control Board shall file with the South Carolina General Assembly detailed report of all expenditures from the Civil Contingent Fund.

Provided, That notwithstanding the amount appropriated in Section 5 of this Section as "State Employer Contribution," the State Treasurer and Comptroller General are hereby authorized and directed to transfer from the General Fund of the State to the proper Retirement System Accounts, month by month, during the fiscal year 1964-65, such funds as are necessary to comply with the terms of the Retirement Act as amended, as to contributions by the State of South Carolina to the Retirement System.

Provided, Further, That each department, commission, agency, and/or instrumentality of the State of South Carolina, whose employees are covered by the South Carolina Retirement Act, and any part of whose administrative funds are derived from sources other than direct appropriations by the General Assembly, shall pay from such administrative funds a proportionate share of the State's contributions to the Retirement System Account.

Provided, Further, That the State Highway Department shall pay from Highway revenues that portion of the State's contribution to the Retirement System which is occasioned by the coverage of State Highway employees.

Provided, Further, That if any County or Municipality shall become 90 days delinquent in any payments due the Retirement System, the Retirement System shall certify such amount to the State Treasurer, and the State Treasurer is hereby directed to withhold from the next distribution of any revenue due such County or municipality, the amount so certified to him, and apply same to the Retirement System account of such County or municipality to cover such delinquency.

Provided, Further, That the appropriation for Section 2, Item 1 of this section shall be paid from revenues of the various Sinking Funds.

Provided, Further, That the appropriation for the operation of the Surplus Property item of this section shall be paid from funds received for the sale of such surplus property.

Provided, Further, That the State Budget and Control Board is authorized and empowered to employ special agents to examine in-

surance risks carried by the said Board, and to perform any other duties which may be required of them, and the cost of necessary supplies, equipment, and travel expenses of the special agents, shall be paid from the revenues of the Insurance Sinking Fund.

Provided, Further, That the State Board of Health is authorized to continue the employment of Dr. W. K. Fishburne, County Health Officer of the Berkeley County Health Unit, Dr. H. Grady Callison, Health Officer of the Anderson County Health Unit, Dr. L. C. Stukes, Health Officer of the Clarendon County Health Unit, Dr. J. E. Brodie, Health Officer of the Lexington County Health Unit and C. A. Johnson, field consultant, Educational Finance Commission, the Assistant State Treasurer, the present State Auditor, the present general manager of the S. C. Public Service Authority and Dr. George Benet, Chief Surgeon of the S. C. State Hospital, may continue in employment, notwithstanding the age requirement of the State Retirement System.

Provided, Further, That the State Budget and Control Board is hereby authorized to combine into a single division, to be designated as "Division of General Services", the following existing divisions of this department: The Division of Sinking Funds and Property, Division of Office Supplies and Printing, Division of Purchasing, and a new division of General Departmental Services. In addition to the sums appropriated above in this section, there is hereby appropriated to this division the sum of \$150,000.00 for the expansion of the purchasing function, and the establishment of a system of management of State-owned automobiles, of records management, and of other general departmental services. The State Budget and Control Board is authorized to organize the proposed divisions enumerated above into the single division, including the fixing of salaries on a priority basis and the proper allocation within the division of the functions involved.

SECTION 45

Board of Health

Item 1. Administration:

Office of State Health Officer:

A. Personal Service:

A-1. Salaries:

State Health Officer	\$ 16,500.00
Asst. State Health Officer	10,000.00
Secretary II	5,741.00

Secretary I	3,865.00
Drug Inspector	9,049.00
State Director of P. H. Nursing	6,973.00
B. Contractual Services:	
B-2. Travel	4,200.00
Personnel:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Stenographer III	2,728.00
Finance:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Director	8,258.00
Accountant III	6,585.00
Secretary I	4,275.00
Clerk II	2,728.00
Business Management:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Clerk II	3,508.00
Stenographer II	2,794.00
Telephone Operator	3,508.00
Porter	2,500.00
Messenger	2,274.00
Tabulating:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Tabulating Unit Supervisor ...	7,079.00
Tabulating Operators II	12,641.00
Tabulating Operators I	5,638.00
Vital Statistics:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Assistant State Registrar	8,180.00
Field Agent	7,244.00
Stenographers III	11,616.00
Stenographer II	3,508.00
Clerks III	8,004.00
Clerks II	40,666.00
Clerks I	27,874.00

B. Contractual Services:	
B-2. Travel	2,500.00
Public Health Education:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Health Education Consultant..	6,896.00
Health Education Assistant ...	3,865.00
Vari-Typist	4,548.00
B. Contractual Services:	
B-2. Travel	2,500.00
Hospital Construction:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Administrator	9,146.00
Secretary	4,509.00
Stenographer II	6,106.00
Clerk III	3,547.00
Hospital Administrative Con-	
sultant	7,794.00
Architect	8,132.00
Construction Engineer	7,311.00
Hospital Inspectors	12,750.00
Accountant III	7,177.00
A-3. Special Payments:	
Advisory Committee (Travel	
and Per Diem)	1,919.00
B. Contractual Services:	
B-2. Travel	7,140.00
Merit System:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Merit System Supervisor	
(P. T.)	2,640.00
<hr/>	
Total Item 1 (Administration)	\$ 326,416.00
Item 2. Disease Control:	
Office of Director:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Director	\$ 10,000.00

Chief—Cancer, Heart, T. B. Services	\$ 10,000.00
Chief—VD Services (Crippled Children, and Rheumatic Heart Disease)	10,000.00
Stenographer III	3,865.00
Clerk III	4,093.00
Consultant Nurse—Special Field	5,506.00
Veterinarian III (P. T.)	3,600.00
B. Contractual Services:	
B-2. Travel	5,400.00
Tuberculosis Control:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Record Analyst	3,979.00
Clerks III	7,458.00
Clerk II	2,910.00
Clinic Services (Tuberculosis):	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Photofluorographic Operators .	14,849.00
Clerks II	5,911.00
Maintenance Man I	3,248.00
Venereal Disease Control:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Nurse Consultant—Special Field	5,500.00
Secretary I	4,093.00
Clerk III	4,093.00
Clerk I	3,444.00
B. Contractual Services:	
B-2. Travel	3,000.00
Heart Disease Control:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Stenographer II	3,142.00
Clinic Services (Heart):	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Clerk II	2,910.00

P. H. Nurse I	3,638.00
Dietitian	4,547.00
A-3. Special Payments:	
Clinician's Fees	250.00
B. Contractual Services:	
B-2. Travel	2,500.00
Cancer Control:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Secretary I	3,728.00
Public Relations Rep.	4,823.00
B. Contractual Services:	
B-2. Travel	1,500.00
Clinic Services (Cancer):	
B-7. Other Contractual Services:	
Hospital Care	425,000.00
Epidemiology:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Insect, Rodent Control Super- visor I	9,018.00
Medical Entomologist III	7,935.00
Medical Entomological Assistant	4,548.00
B. Contractual Services:	
B-2. Travel	5,400.00
Laboratory:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Director	10,000.00
Secretary I	4,509.00
Bacteriologists III	12,741.00
Bacteriologists II	20,708.00
Bacteriologist I	5,276.00
Clerks II	6,184.00
Clerk I	2,404.00
Virologist	4,540.00
Medical Laboratory Tech- nicians II	15,505.00
Medical Laboratory Tech- nicians I	12,914.00
Laboratory Helpers	4,540.00

B. Contractual Services:

B-2. Travel 2,400.00

 Total Item 2 (Disease Control) \$ 691,609.00
Item 3. Dental Health:**Office of Director:****A. Personal Service:**

Director\$ 10,000.00

Secretary I 3,646.00

B. Contractual Services:

B-2. Travel 4,000.00

 Total Item 3 (Dental Health) \$ 17,646.00
Item 4. Local Health Supervision:**Officer of Director:****A. Personal Service:****A-1. Salaries:**

Stenographer III\$ 4,093.00

 Total Item 4 (Local Health Supervision) \$ 4,093.00
Item 5. Sanitary Engineering:**A. Personal Service:****A-1. Salaries:**

Director (P. T.)\$ 6,028.00

Assistant Director 9,413.00

Stenographer III 4,275.00

Sanitary Engineers IV 14,907.00

Sanitation Consultants 27,896.00

Bedding Inspector 6,241.00

Assistant Bedding Inspector .. 5,431.00

Consultant Sanitary Engineer . 9,146.00

 Total Item 5 (Sanitary Engineering) \$ 83,337.00

Item 6. Maternal and Child Health:

Office of Director:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 10,000.00
Stenographer III	4,093.00

Total Item 6 (Maternal and Child Health)	\$ 14,093.00
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Item 7. Crippled Children:

Crippled Children:

Convalescent Home	\$ 75,000.00
Hospital Care	60,000.00
Orthopedic Camps	25,000.00

Speech Therapy:

A. Personal Service:

A-1. *Salaries:*

Speech Therapists (P. T.)	4,500.00
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B. Contractual Services:

B-7. Other Contractual Services:

Hospital Care	8,000.00
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Clinic Services (Rheumatic Fever):

A. Personal Service:

A-1. *Salaries:*

Clerk II	2,728.00
P. H. Nurse IV	5,305.00
Pediatricians (PT)	1,800.00
Cardiologist (PT)	600.00

B. Contractual Services:

B-2. Travel	1,000.00
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Total Item 7 (Crippled Children) ..	\$ 183,933.00
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Item 8. Executive Committee:

A. Personal Service:

A-3. Special Payments:

Travel and Per Diem of Execu- tive Committee	\$ 2,650.00
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Item 9. Other Expenditures:

B. Contractual Services:

B-1. Freight, Express and Deliver- ies	\$ 400.00
B-3. Telegraph and Telephone ..	2,800.00
B-4. Repairs	4,000.00
B-5. Printing and Advertising ..	4,000.00
B-7. Other Contractual Services	600.00

C. Supplies:

C-4. Office Supplies	32,000.00
C-10. Clothing and Dry Goods ..	300.00

D. Fixed Charges and Contributions:

D-1. Rents (Office and Labora- tory Space)	30,577.00
Rents (Equipment)	16,620.00
D-2. Insurance	3,300.00

G. Equipment:

G-1. Office Equipment	2,000.00
G-8. Laboratory Equipment and Supplies	5,000.00

Special Services (Counties):

Biologics	25,000.00
Antirabic Vaccine	6,000.00
VD Drugs	10,000.00
VD Control	2,400.00
Insect Control Program	105,000.00
Anti-Polio Vaccine	50,000.00
Health Mobilization	20,000.00
For Patrolling Coastal Shell Fish Areas	30,000.00

Total Item 9 (Other Expenditures)	\$ 349,997.00
For Salary Adjustments	36,738.00

Total (Central Administration) ..	\$ 1,710,512.00
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Item 10. Aid to County Health Units	\$ 1,287,089.00
For Salary Adjustments	60,063.00

GRAND TOTAL (State Board of Health)	\$ 3,057,664.00
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Provided, Further, That State funds herein provided for aid to county health departments shall be distributed on a basis approved by the Executive Committee of the State Board of Health so that no county shall receive less State funds than for the fiscal year 1963-1964.

Provided, Further, that Federal funds made available to the State Board of Health, that can be allotted to the counties of the State for operation of county health units, shall be distributed among the counties of the State on a basis approved by the Executive Committee of the State Board of Health so that no county shall receive more Federal funds until each county has received an amount equal to those amounts made available for the fiscal year 1963-64.

Provided, Further, That both State and Federal Funds allotted to any County Health Department shall be withheld from such county until a sum equal to twenty (20¢) cents per capita for the county's population, according to the 1950 Federal Census, shall have been provided by such county for use by its County Health Department in carrying on proper health programs to be agreed upon by the County Legislative Delegation and the State Board of Health. *Provided, However,* That if it is found that in any county a suitable health unit can be operated at less cost than is provided herein by the prescribed distribution of State and Federal Funds and the amount of twenty (20¢) cents per capita from local funds, County and State funds for the support of such unit shall be reduced in the same ratio.

Provided, Further, That the allocation of all Federal funds made available to the State Board of Health, including the allocation of such funds among the counties of the State for County and District Health Work, shall be approved by the State Budget and Control Board.

Provided, Further, That any unused State and/or Federal Funds, allocated and budgeted to a county, shall, subject to the approval of the Senator and a majority of the House Members of such county, be made available to the State Board of Health for redistribution on the basis of need as determined by the State Board of Health.

Provided, Further, That from funds available for the operation of Cancer Clinics, a clinic shall be maintained and operated at Self Memorial Hospital at Greenwood.

Provided, Further, That out of the appropriation provided in Item 10 of this section for State Aid to County Health Units, the sum of

\$25,000.00 shall be distributed to the county health departments by the State Health Officer, with the approval of the Executive Committee of the State Board of Health, for the following purposes:

1. To insure the provision of a reasonably adequate public health program in each county.
2. To provide funds to combat special health problems that may exist in certain counties.
3. To establish and maintain demonstration projects in improved public health methods in one or more counties in the promotion of better public health service throughout the State.
4. To encourage and promote local participation in financial support of the county health departments.
5. To meet emergency situations which may arise in local areas.
6. To fit funds available to amounts budgeted when small differences occur.

Provided, Further, That the State Budget and Control Board may approve supplements from Federal Funds to State appropriated salaries of personnel who are below existing salaries for comparable services in other state agencies and institutions.

SECTION 46

Water Pollution Control Authority

For Administration:

A. Personal Service:

A-1. Salaries:

Executive Director (P.T.) \$	4,550.00
Assistant Director	9,049.00
Water Pollution Control	
Engineers	11,507.00
Chemists	5,419.00
Secretary	4,132.00
Laboratory Technician	4,002.00
Radiological Laboratory Technician	5,000.00
Water Sample Takers	10,754.00
Radiological—Industrial	
Engineer	8,559.00

A-3. Special Payments:

Travel and Per Diem of Board	
Members	1,750.00
Special Fees	600.00

B. Contractual Services:

B-2. Travel	8,000.00
B-3. Telegraph and Telephone ..	500.00
B-4. Repairs	600.00
B-6. Water, Heat, Light and Power	500.00
B-7. Hearings	250.00

C. Supplies:

C-4. Office Supplies	500.00
C-8. Motor Vehicle Supplies	1,500.00
C-11. Laboratory Supplies	1,000.00

D. Fixed Charges and Contributions:

D-1. Rents	400.00
D-2. Insurance	480.00
D-3. Cooperative Agreement—U. S. Geological Survey	5,000.00

G. Equipment:

G-1. Office Equipment	500.00
G-8. Laboratory Equipment	1,000.00
For Salary and Wage Adjust- ments	3,117.00

Total (Water Pollution Control

Authority)

\$ 88,669.00

SECTION 47

State Dairy Commission

For Administration:**A. Personal Service:****A-1. Salaries:**

Director	\$ 8,000.00
Auditors	34,460.00
Inspector	6,062.00
Secretaries	7,750.00

A-3. Special Payments:

Per Diem for Commissioners (8)	1,000.00
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B. Contractual Services:

B-2. Travel	13,500.00
B-3. Telegraph and Telephone ..	1,500.00
B-4. Repairs	350.00

C. Supplies:		
C-4. Office Supplies	2,000.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	17.50	
For Salary and Wage Adjust-		
ments	2,814.00	
TOTAL (State Dairy Commission).		\$ 77,453.50

SECTION 48

State Tax Commission

Item 1. Administrative Division:

A. Personal Service:

A-1. *Salaries:*

Commissioners	\$ 56,700.00
Supplemental Salary—Chair-	
man	2,500.00
Executive Secretary	10,500.00
Administrative Assistants	25,900.00
Clerks	41,374.00
Service Clerks	92,260.86
Secretaries	53,897.00
Telephone Operators	10,164.00
Warrant Officers	83,585.00
Temporary Help	10,000.00

A-2. *Wages:*

Janitor	780.00
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Total (Item 1) Administrative Di-	
vision	\$ 387,660.86

Item 2. Estate Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 10,000.00
Steno-Clerks	7,200.00
Auditors	22,491.00

Total (Item 2) Estate Tax Division	\$ 39,691.00
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Item 3. Property Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 10,000.00
Assistant Director	9,800.00
Clerks	30,500.00
Field Agents	53,000.00
Assessment Supervisors	27,300.00

Total (Item 3) Property Tax Division \$ 130,600.00

Item 4. Income Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 10,400.00
Secretaries	26,000.00
Clerks	231,998.00
Auditors	394,457.00

Total (Item 4) Income Tax Division \$ 662,855.00

Item 5. License Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 10,200.00
Secretaries	18,689.00
Clerks	50,117.00
Auditors	91,671.00
Field Agents	86,832.00

Total (Item 5) License Tax Division \$ 257,509.00

Item 6. Beer and Wine and Alcoholic
Liquors Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 10,200.00
Hearing Officer	6,600.00
Secretaries	12,100.00

Clerks	31,250.00
Examiners	10,400.00
Investigators	69,500.00

Total (Item 6) Beer and Wine and Alcoholic Liquors Divi- sion	\$ 140,050.00
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Item 7. Sales Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 10,400.00
Secretaries	53,693.00
Clerks	170,288.00
Auditors	606,597.00

Total (Item 7) Sales Tax Division.	\$ 840,978.00
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Item 8. Data Processing Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 10,400.00
Systems Analysis Unit	29,481.00
Accounting Unit	58,953.00
Machine Operators	146,383.00

Total (Item 8) Data Processing Di- vision	\$ 245,217.00
5% Salary Adjustment	134,632.00

Item 9. General Operating:

B. Contractual Services:

B-1. Freight, Express and De- liveries	\$ 7,000.00
B-2. Travel	440,600.00
B-3. Telegraph and Telephone ..	22,500.00
B-4. Repairs	20,000.00
B-5. Printing, Binding and Ad- vertising	16,000.00
B-6. Water, Heat, Light and Power	1,500.00

C. Supplies:

C-4. Office Supplies and Stamps	300,000.00
C-8. Motor Vehicle Supplies	5,000.00

D. Fixed Charges and Contributions:

D-1. Rents:

Machine Rental	155,000.00
District Office	21,826.56
Post Office Box	48.00

D-2. Insurance—Premium on

Bonds	8,000.00
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D-3. Contributions	1,500.00
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G. Equipment:

G-1. Office Equipment	25,000.00
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G-4. Motor Vehicles and Equip- ment	6,000.00
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For Codifying Commission Regula- tions and Decisions	1,400.00
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Property Assessment Manuals	12,600.00
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Total (Item 9) General Operating	\$ 1,043,974.56
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TOTAL (State Tax Commission)	\$ 3,883,167.42
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Provided, That the Tax Commission is hereby authorized to purchase Revenue stamps and to draw warrants for the payment thereof against the revenue account for which they were purchased.

Provided, Further, That the cost of law enforcement with respect to alcoholic liquors in the Governor's Office and the cost of the administration of the Alcoholic Liquors Division of the Tax Commission shall be deducted from the total revenues from alcoholic liquors before distribution of such revenues to the counties and municipalities of the State.

Provided, Further, That the Revolving Fund which is maintained for the purpose of purchasing alcoholic beverages in connection with the Alcoholic Liquors Division, in law enforcement, shall be limited to \$500.00.

Provided, Further, That the Tax Commission, with the approval of the Budget and Control Board, is authorized to expend from the revenue collected under the provisions of Act 654, Acts of 1956, such additional money as is necessary to the adequate administration and enforcement of the said Act.

SECTION 49

Insurance Department

Executive Control of Insurance:

A. Personal Service:

A-1. *Salaries:*

Administration:

Chief Insurance Commissioner \$	14,000.00
Chief Deputy Insurance Commissioner	12,000.00
Deputy Ins. Commissioner — Technical	11,000.00
Deputy Ins. Commissioner— Administrative	11,000.00
General Counsel	11,000.00
Assistant General Counsel	7,000.00
Executive Secretary	5,200.00
Legal Secretary	4,700.00
Directors	74,500.00
Actuary—Examiners	15,000.00
Analysts	33,750.00
Auditors	37,340.00
Bookkeepers	8,320.00
Clerk-Typist	16,250.00
Clerks	48,630.00
Coordinators	8,500.00
Examiners	78,500.00
Investigators	59,250.00
Secretaries	33,070.00
Statisticians	25,160.00
Stenographers	14,560.00
Extra Clerical Help	1,700.00

LP Gas and Fire Marshal Division:

Director	9,000.00
LP Gas Inspectors	29,500.00
Deputy State Fire Marshals ..	35,500.00
Steno-Clerk	3,900.00

A-3. Special Payments

General Operating:

B. Contractual Services:

B-2. Travel	60,000.00
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B-3. Telegraph and Telephone ..	8,000.00	
B-4. Repairs	2,500.00	
B-7. Other Contractual Services	500.00	
C. Supplies:		
C-4. Office Supplies ..	20,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	31,500.00	
D-2. Insurance	3,850.00	
D-3. Contributions	500.00	
G. Equipment:		
G-1. Office Equipment	3,000.00	
For Salary and Wage Adjust- ments	28,186.00	
<hr/>		
Total (Insurance Department)		\$ 767,366.00

SECTION 50

Contractors' Licensing Board

For Administration:

A. Personal Service:

A-1. Salaries:

Secretary-Treasurer	\$ 5,600.00
Assistant Secretary	3,954.00
Field Representative	5,488.00
Steno-Clerk	2,565.00

A-3. Special Payments:

Per Diem Board Members	300.00
Examinations	2,000.00

B. Contractual Services:

B-2. Travel	5,000.00
B-3. Telegraph and Telephone ..	500.00
B-4. Repairs	125.00
B-5. Printing and Advertising ...	100.00

C. Supplies:

C-4. Office Supplies	3,500.00
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D. Fixed Charges and Contributions:

D-1. Rent	1,800.00
D-2. Bond Premium and Insurance	40.00

G. Equipment:		
G-1. Office Equipment	200.00	
For Salary and Wage Adjustments	880.00	
<hr/>		
TOTAL (Contractors' Licensing Board)		\$ 32,052.00

SECTION 51

State Service Bureau

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries:*

State Service Officer	\$ 9,000.00
Asst. State Service Officer	7,084.00
Senior Field Investigator	6,390.00
Junior Field Investigator	5,597.00
Secretary	4,198.00
Senior Stenographer	3,486.00

B. Contractual Services:

B-2. Travel	1,500.00
B-3. Telegraph and Telephone	1,000.00
B-4. Repairs	100.00

C. Supplies:

C-4. Office Supplies	800.00
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D. Fixed Charges and Contributions:

D-1. Association Dues	100.00
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G. Equipment:

G-1. Office Equipment	500.00
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Total (Item 1) For Administration \$ 39,755.00

Item 2. Operation of County Offices \$ 242,034.00

Item 3. Veterans' Administration

Personnel:

A. Personal Service:

A-1. *Salaries:*

Service Officer, VFW	\$ 4,000.00
Secretary, Service Officer, VFW	2,000.00

Service Officers, DAV	5,340.00	
Secretary, DAV	660.00	
Service Officer, The American Legion	5,000.00	
Secretary, Service Officer, American Legion	1,000.00	
<hr/>		
Total (Item 3) Veterans' Admin- istration Personnel		\$ 18,000.00
For Salary and Wage Adjust- ments		1,338.00
<hr/>		
TOTAL (State Service Bureau)		\$ 301,127.00

Provided, That for the fiscal year 1964-65, the amount appropriated in Item 2 of this section shall be distributed among the counties of the state as follows: The sum of Three Hundred (\$300.00) Dollars shall be first allocated to each county of the State, and the remainder shall be distributed among the counties in the same proportion as provided in the original statute.

SECTION 52

Department of Agriculture

Item 1. Superintendence and Admin- istration:

A. Personal Service:

A-1. *Salaries*:

Commissioner	\$ 15,000.00
Deputy Commissioner	9,000.00
Assistant to Commissioner	8,250.00
Finance Officer	7,000.00
Agriculturist	6,300.00
Secretary	5,200.00
Clerk-Typist	4,000.00
Editor-Market Bulletin	4,550.00
Clerks	12,300.00
Stenographer	3,000.00
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Total (Item 1) Superintendence and Administration	\$ 74,600.00
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Item 1-A. Pure Food and Drug:

A. Personal Service, Materials,
Supplies and Equipment .. \$ 50,000.00

Item 2. Chemical Laboratory:

A. Personal Service:

A-1. *Salaries:*

Director	9,000.00
Chief Chemist	8,250.00
Secretary	4,500.00
Stenographer	3,600.00
Chemists	31,600.00
Chief Seed Analyst	6,600.00
Seed Analysts	22,300.00
Seed Technicians	30,070.00
Laboratory Technician	3,600.00

A-2. Wages:

Porter	2,200.00
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Total (Item 2) Chemical Laboratory \$ 121,720.00

Item 3. Bureau of Inspection:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 8,250.00
Secretary	4,000.00
Secretary	3,900.00
Seed, Feed, Oil and Scales:	
Inspectors	103,293.00
Audit Clerk	5,000.00
Auditors	16,000.00
Stenographers	5,500.00
Caretaker (Calibration Station)	700.00

Total (Item 3) Bureau of Inspection \$ 146,643.00

Item 4. Warehouse Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 7,500.00
Secretary	4,200.00
Chief Bookkeeper	7,000.00

Audit Clerks	15,600.00	
Warehouse Auditors	36,800.00	
Clerk	4,600.00	
A-3. Special Payments:		
Extra Help	1,300.00	
Total (Item 4) Warehouse Division		\$ 77,000.00
Item 5. Egg Law Enforcement:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Inspectors		\$ 28,382.00
Item 6. General Operating:		
B. Contractual Services:		
B-1. Freight, Express and Deliveries	\$ 4,000.00	
B-2. Travel	76,000.00	
B-3. Telephone and Telegraph ..	4,400.00	
B-4. Repairs	5,500.00	
B-5. Printing and Advertising:		
Market Bulletin and Expense ..	56,000.00	
Agricultural Statistics	1,500.00	
B-6. Water, Heat, Light and Power	1,000.00	
C. Supplies:		
C-4. Office Supplies	33,000.00	
C-7. Educational Supplies	100.00	
C-8. Motor Vehicle Supplies	500.00	
C-11. Other Supplies	6,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	3,036.00	
D-2. Insurance	2,500.00	
D-3. Association Dues	212.50	
State Fair Exhibit	400.00	
G. Equipment:		
G-1. Office Equipment	1,500.00	
G-4. Motor Vehicles and Equipment	3,000.00	

G-8. Other Equipment	3,000.00
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Total (Item 6) General Operating..	\$ 201,648.50
For Salary and Wage Adjust- ments	22,880.00

TOTAL (Department of Agriculture)	\$ 722,873.50
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Provided, That the terms of Section 90 of this Act shall not apply to the Commissioner of Agriculture.

SECTION 53

State Agricultural Marketing Commission

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries:*

Marketing Director	\$ 5,412.00
Market Coordinator	6,252.00
Grain Grader	4,800.00
Secretary	3,500.00

A-3. Special Payments:

Per Diem of Members	200.00
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B. Contractual Services:

B-2. Travel	3,600.00
B-3. Telegraph and Telephone ..	400.00
B-4. Repairs	105.00
B-5. Printing and Advertising ..	100.00

C. Supplies:

C-4. Office Supplies	200.00
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D. Fixed Charges and Contributions:

D-3. Contributions	40.00
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G. Equipment:

G-1. Office Equipment	200.00
For Salary and Wage Adjust- ments	758.00

Total (Item 1) For Administration.	\$ 25,567.00
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Item 2. Farm Market Facilities, Sur- veys and Service	\$ 25,000.00
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TOTAL (State Agricultural Market- ing Commission)	\$ 50,567.00
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SECTION 54

State Forestry Commission

Item 1. Division of Forestry	\$ 1,895,854.00
Item 2. Division of State Parks	265,420.00
Item 3. Historical Areas	23,875.00
For Salary and Wage Adjust- ments	74,620.00

TOTAL (State Forestry Commission) \$ 2,259,769.00

Provided, That, for reforestation purposes on State Forest lands, the State Forestry Commission is authorized to rent newly cleared lands for agricultural purposes, and to use the State's portion of the rent received therefrom for clearing additional lands, and, pending expenditures, such funds shall be held in a special account in the State Treasury.

Provided, Further, That the State Forestry Commission may refund deposits placed with the Commission with orders for tree seedlings and for park cabin reservations.

Provided, Further, That all net revenues derived from the operation of the fishing pier at the Myrtle Beach State Park shall be used for improvements at the said park.

Provided, Further, That the State Forestry Commission is hereby authorized to provide reasonable aid or assistance to its regular employees in moving their personal effects from one town or place to another town or place, when their headquarters are so moved in the course of the business of the department.

Provided, Further, That up to \$21,000.00 of any balance in funds appropriated for the fiscal year 1963-64 for the operation of Nurseries may be carried forward and expended for the same purpose in the fiscal year 1964-65.

Provided, Further, That the Commission may, upon request, cut fire lanes for private persons and charge for same at the rate of \$10.00 per hour for the use of heavy suppression units, and \$8.00 per hour for use of medium suppression units. All such monies shall be deposited in a special fund to be used exclusively for the operation, maintenance and replacement of such units, upon the approval of the Budget and Control Board.

Provided, Further, That out of the appropriation herein provided for Historical Areas the sum of \$300.00, if so much be necessary, shall be used to erect a marker at the home site of General Francis Marion.

Provided, Further, That it is not the intention of the General Assembly by the enactment of the foregoing appropriations or any of them to in any wise modify, alter, amend, or repeal any law of this State relating to the opening, operation or closing of State Parks, any prior construction by any court or courts to the contrary notwithstanding; and no appropriation for the operation of any State Park shall be available or expended except in strict observance and full compliance with all the provisions and requirements of State laws prevailing and current at the time of such proposed operation of any State Park, and irrespective of any so-called civil rights this Proviso shall apply equally and uniformly to all persons under the law.

SECTION 55

Clemson Agricultural College (Public Service Activities)

Item 1.	Agricultural Research	\$ 1,330,220.00
Item 2.	Extension Division	1,306,822.00
Item 3.	Fertilizer Inspection and Analysis	99,002.00
Item 4.	Livestock and Poultry Health Department	384,368.00
Item 5.	Camp Bob Cooper	2,400.00
Item 6.	Camp Long	2,400.00
Item 7.	Camp Harry Daniel	2,400.00

TOTAL (Clemson Agricultural Col- lege—Public Service Ac- tivities)	\$ 3,127,612.00
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Provided, That the Agricultural Research Division of Clemson College shall remit to the State Treasurer all revenues, including funds derived from the sale of farm products, for credit to a special account in the State Treasury for Agricultural Research Work, and that such funds may be withdrawn from the State Treasury, as needed, for the use of the Agricultural Research Division.

Provided, Further, That out of the appropriation provided in this section for Agricultural Research the sum of \$20,000.00, if so much be necessary, shall be used for research related to forest pests and the control of same, and whatever amount is deemed necessary shall be used in Poultry Research.

Provided, Further, That out of the appropriation provided in Item 4 of this Section the sum of \$16,600.00, if so much be necessary, shall be used for meat inspection.

Provided, Further, That a Poultry Pathologist may be employed out of funds provided in Item 4 of this section.

Provided, Further, That out of the appropriation herein provided for Agricultural Research a sum of \$65,000.00, if so much be necessary, shall be used for the proposed program of Tobacco Mechanization Research.

SECTION 56

State Soil Conservation Committee

For Administration :

A. Personal Service:

A-1. Salaries:

Executive Secretary	\$ 8,745.00
Clerk-Stenographer	3,265.00

A-3. Special Payments:

Per Diem:

Members State Committee ..	600.00
Clerical Help	200.00

B. Contractual Services:

B-2. Travel	13,000.00
B-3. Telegraph and Telephone ..	500.00
B-5. Printing and Advertising ..	600.00
B-7. Soil Survey Agreement	35,000.00
Watershed Planning Agreement	20,000.00

C. Supplies:

C-4. Office Supplies	700.00
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D. Fixed Charges and Contributions:

D-1. Rent	1,200.00
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G. Equipment:

G-1. Office Equipment	300.00
For Salary and Wage Adjust- ments	601.00

Total (State Soil Conservation Com-
mittee)

\$ 84,711.00

SECTION 57

Department of Labor

Item 1. For Administration:

Office of the Commissioner:

A. Personal Service:

A-1. *Salaries:*

Commissioner	\$ 12,000.00
Investigation Supervisor	5,771.00
Secretary to Commissioner ...	4,001.00
Bookkeeper	4,001.00
Senior Conciliator	6,114.00
Junior Conciliator	5,557.00
Junior Conciliator	5,386.00

Division of Inspection:

Director of Inspection and Deputy Commissioner	6,500.00
Secretary to Director	4,001.00
Clerks (2)	6,062.00
Inspectors	57,321.41

Division of Standards and Statistics:

Director of Standards and Statistics	5,835.00
Secretary to Director	3,000.00
Statistician	4,001.00
Clerks (2)	5,789.09

A-3. Special Payments:

Clerical Help	300.00
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B. Contractual Services:

B-2. Travel	38,000.00
B-3. Telephone and Telegraph ..	1,500.00
B-4. Repairs	300.00
B-5. Printing and Advertising ..	1,660.00

C. Supplies:

C-4. Office Supplies	3,000.00
C-11. Other Supplies	100.00

D. Fixed Charges and Contributions:

D-1. Rents	76.00
D-3. Contributions:	
Association Dues	75.00
Fair Exhibits	400.00

G. Equipment:	
G-1. Office Equipment	350.00
<hr/>	
Total Item 1 (For Administration) .	\$ 181,100.50
Item 2. Division of Safety:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Safety Director	\$ 5,835.00
Safety Engineers	20,852.50
Secretary	3,755.00
<hr/>	
Total Item 2 (Division of Safety) ..	\$ 30,442.50
For Salary and Wage Adjust- ments	8,290.00
<hr/>	
TOTAL (Department of Labor) ...	\$ 219,833.00

SECTION 58

South Carolina Employment Security Commission

The salaries of the South Carolina Employment Security Commissioners are hereby fixed at Eight Thousand Three Hundred and Sixteen (\$8,316.00) Dollars each.

SECTION 59

South Carolina Industrial Commission

Item 1. Administration:

A. Personal Service:

A-1. *Salaries*:

Administrative:

Commissioners (6)	\$ 72,000.00
Administrative Assistant ...	8,700.00
Legal Secretaries (6)	24,000.00
Reporters (6)	35,514.00
Secretary	4,301.00
Senior Stenographer	3,634.00
Bookkeeper	4,618.00
Docket Clerk	3,300.00

Coverage:

Secretary	3,447.00
Senior Stenographer	3,035.00

Senior Clerk	3,501.00
Senior Clerk	3,035.00
Claims:	
Claims Examiner	7,300.00
Assistant Claims Examiner..	6,200.00
Senior Stenographer	3,848.00
Senior Clerk	3,035.00
Senior Clerk	2,803.00
Clerical:	
Senior Clerks (2)	7,268.00
Junior Clerk	3,035.00
Junior Clerk	2,852.00
Clerk-Typist	2,803.00
Medical:	
Medical Consultant	2,534.00
Senior Stenographer	3,634.00
Safety:	
Senior Safety Engineer	5,905.00
Junior Safety Engineer	4,873.00
Statistical:	
Supervisor of Coverage and	
Statistics	6,500.00
Statistician	3,835.00
Statistician	3,835.00
Machine Operator	3,400.00
State Fund:	
Director	8,700.00
Assistant Director	5,170.00
Claims Investigator	5,281.00
Claims Investigator	4,431.00
Senior Stenographer	3,634.00
Senior Stenographer	3,634.00
Senior Clerk	3,035.00
Senior Payroll Auditor	5,281.00
Junior Payroll Auditor	4,547.00
Other Services:	
Mail Clerk	3,035.00
Switchboard Operator	2,835.00
A-3. Special Payments:	
Clerical Help	4,800.00

B. Contractual Services:	
B-2. Travel	22,500.00
B-3. Telegraph and Telephone ..	3,700.00
B-4. Repairs	2,500.00
B-5. Printing and Advertising ...	1,000.00
C. Supplies:	
C-4. Office Supplies	18,000.00
C-8. Motor Vehicle Supplies	4,000.00
D. Fixed Charges and Contributions:	
D-1. Rents	6,250.00
D-2. Insurance, Workmen's Comp. and Bonds	1,000.00
D-3. Contributions	300.00
G. Equipment:	
G-1. Office Equipment	2,800.00
G-4. Motor Vehicles and Equip- ment	4,000.00
For Salary and Wage Adjust- ments	12,292.00
<hr/>	
Total (S. C. Industrial Commission)	\$ 375,470.00

SECTION 60

Wildlife Resources Department

Item 1. Division of Game:

A. Personal Service:

A-1. *Salaries:*

Commissioners	\$ 700.00
Director	9,010.00
Assistant Director	10,000.00
Chief Clerk	5,765.00
Deputy Chief Clerk	5,002.00
Secretary—License Clerk	4,360.00
Secretaries	12,331.00

Information and Education:

Commission Sec'y and I & E Coordinator	7,936.00
Chief of Education	6,417.00
Information Assistant	5,202.00
Secretaries	9,021.90

A-2. Wages	2,503.00	
Extra Clerical Help	1,200.00	
A-3. Special Payments:		
Clerical Help	2,000.00	
Hearing Fees	750.00	
B. Contractual Services:		
B-1. Freight, Express and Deliveries	150.00	
B-2. Travel	8,000.00	
B-3. Telegraph and Telephone ..	2,100.00	
B-4. Repairs	1,450.00	
B-5. Printing and Advertising ...	10,250.00	
B-7. Other Contractual Services ..	600.00	
C. Supplies:		
C-4. Office Supplies	4,050.00	
C-7. Educational Supplies	2,750.00	
C-8. Motor Vehicle Supplies	1,750.00	
C-12. Other Supplies	6,000.00	
D. Fixed Charges and Contributions:		
D-2. Insurance and Bonds	850.00	
D-3. Contributions and Dues	250.00	
D-4. Other Fixed Charges—		
Surveys	250.00	
D-5. Exhibits	1,000.00	
G. Equipment:		
G-1. Office Equipment	1,100.00	
G-4. Motor Vehicle Equipment ...	2,500.00	
G-7. Educational Equipment	2,000.00	
<hr/>		
Total Item 1 (Division of Game)		\$ 127,247.90
For Salary and Wage Adjustments		\$ 3,412.00
Item 2. Division of Boating:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 2,990.00	
Chief of Boating	8,195.00	
Secretaries	7,593.00	
Secretary-IBM Operator	3,993.00	
Clerk-Bookkeeper	3,600.00	
A-2. Extra Clerical Help	3,600.00	

B. Contractual Services:

B-1. Freight, Express and Deliveries	100.00
B-2. Travel	1,500.00
B-3. Telegraph and Telephone ..	1,000.00
B-4. Repairs	3,600.00
B-6. Heat, Light and Power	250.00
B-7. Other Contractual Services .	2,000.00

C. Supplies:

C-4. Office Supplies	5,000.00
C-8. Motor Vehicle Supplies	6,000.00
C-12. Other Supplies	4,000.00

D. Fixed Charges and Contributions:

D-1. Rents	2,700.00
D-2. Insurance	250.00
D-4. Other Fixed Charges	3,600.00

G. Equipment:

G-1. Office Equipment	500.00
G-4. Motor Vehicles and Equipment	3,000.00
G-8. Other Equipment	4,500.00

Total Item 2 (Division of Boating)	\$	67,971.00
For Salary and Wage Adjustments	\$	1,319.00

Item 3. Division of Commercial Fisheries:**A. Personal Service:****A-1. Salaries:**

Auditor	\$	4,500.00
Secretary and Bookkeeper		4,200.00
District Inspectors		38,400.00
Stenographer		3,160.00
A-2. Wages		350.00
A-3. Special Payments:		
Clerical Help		300.00
Operation Patrol Boats and Airplane Hire		1,250.00
Legal Services		400.00
Oyster and Clam Culture		400.00

B. Contractual Services:

B-2. Travel	18,000.00
B-3. Telegraph and Telephone ..	1,200.00
B-4. Repairs	1,500.00
B-5. Printing and Advertising ..	25.00
B-6. Water, Heat, Light and Power	300.00
B-7. Other Contractual Services	50.00

C. Supplies:

C-1. Food Supplies	75.00
C-4. Office Supplies	2,000.00
C-5. Household, Laundry, Jani- torial	50.00
C-6. Medical Supplies	10.00
C-8. Motor Vehicle Supplies	5,000.00
C-10. Clothing and Dry Goods ..	450.00
C-11. Maintenance Supplies	750.00

D. Fixed Charges and Contributions:

D-1. Rents	822.00
D-2. Insurance	650.00

G. Equipment:

G-1. Office Equipment	350.00
G-4. Motor Vehicle Equipment ..	6,000.00

Total (Item 3) Division of Commer-
cial Fisheries
For Salary and Wage Adjust-
ments

\$ 90,192.00
2,530.00

Item 4. Bears Bluff Laboratories:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 11,660.00
Research Assistants (2)	10,642.00
Maintenance Supervisor	4,290.00
Secretary-Bookkeeper	4,236.00
Stenographer	3,052.00
A-2. Wages	3,110.00
A-3. Special Payments	500.00
Shrimp Survey	12,580.00

B. Contractual Services:

B-2. Travel	350.00
B-3. Telegraph and Telephone ..	600.00
B-4. Repairs	350.00
B-5. Printing and Advertising ..	400.00
B-6. Water, Heat, Light and Power	360.00
B-7. Other Services	25.00

C. Supplies:

C-1. Food Supplies	75.00
C-2. Fuel Supplies	400.00
C-4. Office Supplies	350.00
C-5. Household, Laundry and Janitorial Supplies	100.00
C-6. Medical Supplies	10.00
C-8. Motor Vehicle Supplies	700.00
C-11. Maintenance Supplies	1,000.00
C-12. Other Supplies	200.00

D. Fixed Charges and Contributions:

D-2. Insurance	1,700.00
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G. Equipment:

G-1. Office Equipment	300.00
G-3. Household Equipment	100.00
G-8. Other Equipment	300.00

Total (Item 4) Bears Bluff Labora-
tories

\$ 57,390.00

For Salary and Wage Adjust-
ments

2,469.00

TOTAL (Wildlife Resources Depart-
ment)

\$ 352,530.90

Provided, That the total amount of appropriations made in items one and two of this section shall be transferred from the revenues of this department to the general fund of the State for payment of the appropriations made in said items.

Provided, Further, That all revenues derived from the operation of the Commercial Fisheries Division of this Department shall be deposited in the General Fund of the State.

Provided, Further, That no funds belonging to the counties of the State, now on hand or hereafter accruing to the counties, shall be

expended except on approval of a majority of the respective county delegations, including the Senator. *Provided*, That an annual accounting of all such funds and expenditures shall be furnished by the Department to each county delegation upon its request.

Provided, Further, That no transfer of funds shall be permitted by the State Budget and Control Board from the game and fish revenues to supplement or increase the appropriations provided in this section, it being the intent of the General Assembly that the remainder of the game and fish revenues shall be expended only for the actual protection and propagation of game and fish in the State.

Provided, Further, That any member of the armed forces of the United States, on active duty, who is on furlough or leave, shall, upon presentation of his official furlough or leave papers, be allowed to fish or hunt without purchasing a fishing or hunting license, or permit.

SECTION 61

Board of Bank Control

Item 1. Board of Bank Control:

A. Personal Service:

A-1. Salaries:

Secretary	\$ 5,600.00
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A-3. Special Payments:

Per Diem of Board	550.00
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Official Expense Allowance—	
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Chairman	636.00
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B. Contractual Services:

B-2. Travel	1,000.00
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D. Fixed Charges and Contributions:

D-1. Rent	1,071.00
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Total (Item 1) Board of Bank Control	
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\$ 8,857.00

Item 2. Examining Division:

A. Personal Service:

A-1. Salaries:

Chief Bank Examiner	\$ 12,860.00
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Assistant Chief Bank Examiner	9,000.00
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Assistant Examiners	78,657.00
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Secretary	5,181.00
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Stenographer	4,668.00	
Stenographer	4,368.00	
Stenographer	3,900.00	
B. Contractual Services:		
B-2. Travel	54,000.00	
B-3. Telegraph and Telephone ..	1,200.00	
B-4. Repairs	600.00	
B-5. Printing and Advertising ..	50.00	
B-7. Other Contractual Services.	1,200.00	
C. Supplies:		
C-4. Office Supplies	1,750.00	
D. Fixed Charges and Contributions:		
D-1. Rents	18.00	
D-2. Insurance	137.50	
D-3. Contributions	275.00	
G. Equipment:		
G-1. Office Equipment	1,500.00	
<hr/>		
Total (Item 2) Examining Division		\$ 179,364.50
Item 3. Small Loan Division:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 11,000.00	
Assistant Director	8,400.00	
Examiners	30,640.00	
Secretary	5,100.00	
A-3. Special Payments:		
Per Diem of Board	500.00	
Official Expense Allowance—		
Chairman	1,590.00	
Secretary of Board	700.00	
Hearing Fees	1,000.00	
B. Contractual Services:		
B-2. Travel	28,000.00	
B-3. Telegraph and Telephone ..	600.00	
B-4. Repairs	350.00	
C. Supplies:		
C-4. Office Supplies	2,500.00	
D. Fixed Charges and Contributions:		
D-1. Rents	2,121.60	

D-2. Insurance	137.50	
D-3. Contributions	100.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
		<hr/>
Total (Item 3) Small Loan Division		\$ 93,739.10
For Salary and Wage Adjust- ments		8,326.00
		<hr/>
TOTAL (Board of Bank Control) ..		\$ 290,286.60

Provided, That the Board of Bank Control shall fix the examination fees of banks, depositories, and building and loan associations on a scale which will yield sufficient revenue to defray the entire expenses of one examination per year for each bank, depository, and building and loan association.

SECTION 62

Public Service Commission

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries*:

Chairman	\$ 9,730.00
Commissioners (6)	56,868.00
Executive Secretary	8,250.00
Asst. Secretary	6,000.00
Director of Rate Bureau	9,500.00
Office Assistant	5,200.00
Director, Telephone, Gas and Water	8,250.00
Assistant Director	8,250.00
Accountant	6,050.00
Stenographers (2)	7,759.00
Chief Engineer	7,500.00
Official Reporters (2)	10,640.00

A-2. Wages	2,251.00
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B. Contractual Services:

B-2. Travel	24,000.00
B-3. Telegraph and Telephone ..	2,000.00
B-4. Repairs	100.00
B-5. Printing and Advertising ..	100.00
Printing—Litigation	750.00

C. Supplies:		
C-4. Office Supplies	3,200.00	
C-8. Motor Vehicle Supplies ...	1,800.00	
D. Fixed Charges and Contributions:		
D-1. Rents	1,666.67	
D-2. Insurance	500.00	
D-3. Contributions	875.00	
G. Equipment:		
G-1. Office Equipment	200.00	
For Salary and Wage Adjust-		
ments	7,000.00	
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Total (Item 1) For Administration		\$ 188,439.67
Item 2. Motor Transport Division:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 8,637.00	
Office Assistant	6,000.00	
Chief Clerk	5,348.00	
Cashier	6,000.00	
Insurance Clerk	3,964.25	
Stenographer	4,635.25	
Steno-Clerk	4,312.25	
Steno-Clerk	3,754.25	
Clerk	3,600.00	
Chief Inspector, District No. 1	6,000.00	
Chief Inspector, District No. 2	6,000.00	
Inspectors	85,719.00	
A-3. Special Payments:		
Experts, Investigations and Ex-		
tra Clerical Help	700.00	
B. Contractual Services:		
B-2. Travel	53,000.00	
B-3. Telegraph and Telephone ..	1,760.00	
B-4. Repairs	200.00	
B-6. Water, Heat, Light and		
Power	21.00	
C. Supplies:		
C-4. Office Supplies	5,000.00	
C-8. Motor Vehicle Supplies	500.00	

C-12. Other Supplies (License Plates)	1,500.00	
D. Fixed Charges and Contributions:		
D-1. Rents	1,680.00	
D-2. Insurance	879.00	
G. Equipment:		
G-1. Office Equipment	360.00	
For Salary and Wage Adjust- ments	7,148.00	
<hr/>		
Total (Item 2) Motor Transport Division		\$ 216,718.00
Item 3. Utilities Division:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 8,221.00	
Assistant Director	7,500.00	
Accountant	6,050.00	
Engineers (2)	11,600.00	
Field Inspector	5,995.00	
Typist	1,833.00	
Stenographers (2)	8,150.00	
B. Contractual Services:		
B-2. Travel	4,500.00	
B-3. Telegraph and Telephone ..	750.00	
C. Supplies:		
C-4. Office Supplies	1,000.00	
C-8. Motor Vehicle Supplies ...	500.00	
For Salary and Wage Adjust- ments	2,467.00	
<hr/>		
Total (Item 3) Utilities Division ..		\$ 58,566.00
<hr/>		
TOTAL (Public Service Commission)		\$ 463,723.67

Provided, That the appropriation for Item 3 of this Section shall be assessed against and collected from the electric light and power companies, operating in this State and shall be based upon the gross revenues of said companies from their business done wholly within the State of South Carolina as is set out in Section 58-60 of the Code of Laws of South Carolina, 1962.

Provided, Further, That all public service companies doing business in this State, shall, on or before June 30, 1964, furnish the Comptroller General in such form as he may require, a statement setting forth the gross income of such public service company for the year ending December 31, 1963.

Provided, Further, That telephone companies are authorized to furnish free telephone service for official business to the Public Service Commission.

Provided, Further, That the Motor Transport Division of the Public Service Commission is hereby authorized to make refunds of fees which were erroneously collected.

Provided, Further, That the Commission, within its discretion, may prorate and adjust any portion or all of the license fees for D, E, and F certificate holders as between vehicles and units of various types.

SECTION 63

South Carolina Aeronautics Commission

Item 1. For Administration:

A. Personal Service:

A-1. Salaries:

Director	\$ 10,455.00
Assistant Director	6,818.00
Secretary to Commission	3,600.00
Office Manager	5,100.00
Stenographer	3,000.00

A-2. Wages:

Janitor	1,611.00
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A-3. Special Payments	6,500.00
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Total (Item 1) For Administration	\$ 37,084.00
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Item 2. For Regulation, Training and Inspection:

A. Personal Service:

A-1. Salaries:

Flight Inspector	\$ 5,900.00
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Item 3. For Airport Maintenance :

A. Personal Service :

A-1. *Salaries:*

Chief Supervisor	\$ 6,005.00
Electrician	3,900.00
Machine Operators	17,115.00

A-2. *Wages:*

Laborers	4,096.00
Temporary Help	4,500.00

Total (Item 3) For Airport Maintenance	\$ 35,616.00
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Item 4. For Equipment Maintenance :

A. Personal Service :

A-1. *Salaries:*

Shop Foreman	\$ 4,500.00
Mechanic	3,900.00

Total (Item 4) For Equipment Maintenance	\$ 8,400.00
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Item 5. For Operation :

B. Contractual Services:

B-2. Travel	\$ 11,000.00
B-3. Telegraph and Telephone ..	2,700.00
B-4. Repairs	9,000.00
B-5. Printing and Advertising ...	700.00
B-6. Water, Heat, Light and Power	7,300.00
B-7. Other Contractual Services ..	5,000.00

C. Supplies:

C-4. Office Supplies	3,000.00
C-8. Motor Vehicle Supplies	4,500.00
C-11. Other Supplies	400.00

D. Fixed Charges and Contributions:

D-1. Rents	50.00
D-2. Insurance	5,500.00
D-3. Contributions	800.00

G. Equipment:	
G-1. Office Equipment	500.00
G-4. Motor Vehicles and Equip- ment	5,000.00
G-8. Maintenance Equipment ...	20,000.00
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Total (Item 5) For Operation	\$ 75,450.00
Item 6. Maintenance and Improve- ments of Airports	\$ 35,000.00
Item 7. Special Maintenance Fund for State System Airports:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Resident Maintenance Supervi- sors	14,504.00
Item 8. State Aid for Airport Develop- ments:	
Anderson County Airport	\$ 25,000.00
Beaufort County Airport	20,000.00
Orangeburg County Airport ..	5,000.00
Jasper County Airport	17,500.00
Chesterfield County Airport ...	20,000.00
Hampton County Airport	20,500.00
Newberry County Airport	20,000.00
For Salary and Wage Adjustments ..	4,525.00
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TOTAL (South Carolina Aeronautics Commission)	\$ 344,479.00

SECTION 64

State Development Board

Item 1. For Administration:

A-1. *Salaries*:

Director	\$ 18,000.00
Assistant Director	12,000.00
Administrative Assistant	6,050.00
Industrial Agent	7,950.00

Senior Stenographer	3,381.00
Supply Room Clerk	3,200.00
Industrial Engineer	10,500.00
Secretary to Assistant Director	4,335.00
Senior Stenographer	3,719.00
Senior Stenographer	3,690.00
Junior Accountant	5,247.00
Field Men	39,667.28
Agricultural and Internal Industries Division:	
Assistant Director	14,310.00
Agricultural Industries Specialist	9,000.00
Industrial Markets Specialist ..	8,679.00
Secretary	4,314.00
A-3. Special Payments:	
Board Members (5)	1,500.00
Clerical Help	1,500.00
B. Contractual Services:	
B-1. Freight, Express and Deliveries	200.00
B-2. Travel and Promotional Activities	32,000.00
B-3. Telegraph and Telephone ..	17,000.00
B-4. Repairs	5,000.00
B-7. Other Contractual Services:	
(a) Matching Funds for USGS Water Investigations, etc.	35,400.00
C. Supplies:	
C-4. Office Supplies	12,000.00
C-7. Educational Supplies	2,300.00
C-8. Motor Vehicle Supplies ...	4,000.00
C-12. Other Supplies	150.00
D. Fixed Charges and Contributions:	
D-1. Rents	6,000.00
D-2. Insurance	1,500.00
D-3. Contributions	100.00

G. Equipment:	
G-1. Office Equipment	2,500.00
G-2. Motor Vehicle Equipment	4,000.00
G-8. Other Equipment	100.00
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Total (Item 1) Administration	\$ 279,292.28
Item 2. Division of Geology:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
State Geologist	10,494.00
Secretary	4,325.00
Project Geologist	8,400.00
Engineering Services	1,500.00
Draftsman	650.00
Field Assistants	1,260.00
B. Contractual Services:	
B-2. Travel	3,000.00
B-4. Repairs	750.00
B-5. Printing, Binding and Advertising	2,000.00
B-7. Other Contractual Services:	
Miscellaneous	400.00
C. Supplies:	
C-7. Educational Supplies	250.00
C-8. Motor Vehicle Supplies	750.00
C-12. Other Supplies	500.00
G. Equipment:	
G-1. Office Equipment	600.00
G-8. Other Equipment	250.00
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Total (Item 2) Division of Geology	\$ 35,129.00
Item 3. Travel and Information Division:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Director	\$ 10,600.00
Assistant Director	7,700.00
Secretary	3,719.00
Clerk—Typist	2,860.00

B. Contractual Services:

B-5. Printing, Binding and Advertising:

Industrial	100,000.00
Tourist	225,000.00

Total (Item 3) Travel and Information Division \$ 349,879.00

Item 4. Research Division:

A. Personal Service:

A-1. *Salaries:*

Chief of Research	\$ 9,600.00
Research Assistant	5,400.00
Research Secretary	3,900.00

Total (Item 4) Research Division.. \$ 18,900.00

Item 5. Aircraft Operation and Maintenance:

A. Personal Service:

A-1. *Salaries:*

Chief Pilot and Field Man	\$ 8,800.00
Co-Pilot and Field Man	6,050.00
Substitute Crew Member	500.00

B. Contractual Services:

B-1. Travel and Promotional Activities 3,500.00

B-4. Repairs 15,000.00

B-6. Water, Heat, Light and Power 50.00

C. Supplies:

C-7. Educational Supplies 60.00

C-8. Aviation Fuel and Motor Vehicle Supplies 12,500.00

D. Fixed Charges and Contributions:

D-2. Insurance 3,824.00

Total (Item 5) Aircraft Operation and Maintenance \$ 50,284.00

Item 6. Development Research Center	\$ 25,000.00
For Salary and Wage Adjust- ments	10,409.00
Total (State Development Board) ..	<hr/> \$ 768,893.28

SECTION 65

Civil Defense Agency

Personal Service	\$ 66,250.00
Contractual Services	8,155.00
Supplies	3,600.00
Fixed Charges	4,800.00
Equipment	5,000.00
Contingencies	2,000.00
For Salary and Wage Adjust- ments	3,107.00
TOTAL (Civil Defense Agency) ...	<hr/> \$ 92,912.00

SECTION 66

Miscellaneous Appropriations

Item 1. To the Workmen's Compen- sation Fund to cover Com- sation Insurance for State employees	\$ 125,000.00
Item 2. Woodrow Wilson Home— Maintenance Repairs	650.00
Item 3. Rocky Bottom Camp	2,400.00
Item 4. Regional Education Board: Scholarships	267,500.00
Administration	4,100.00
Item 5. Atlantic States Marine Fish- eries Commission Dues ..	\$ 900.00
Item 6. South Carolina School Com- mittee	25,000.00
Item 7. Poet Laureate	1,200.00
Item 8. Confederate War Centennial Commission	35,000.00

Item 9. Tax Study Committee	10,000.00
Item 10. Committee on Mental Health and Mental Institutions	4,000.00
Item 11. Judicial Council	11,500.00
Item 12. S. C. Defense Scholarship Fund	100,000.00
Item 16. Forest Study Committee	3,000.00
Item 25. Committee to Study State Education System	25,000.00
Item 30. To provide an emergency fund for pest control for use by South Carolina Crop Pest Commission and South Carolina Forestry Commis- sion, allotments to be ap- proved by the State Budget and Control Board	25,000.00
Item 32. Archaeological Research	\$ 17,000.00
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TOTAL (Miscellaneous Appropria- tions)	\$ 657,250.00

Provided, That warrants for the disbursement of the appropriation in Item 5 of this section shall be approved by the Executive Committeeman from South Carolina.

Provided, Further, That of the amount appropriated in Item 4 of this section whatever amount may be necessary and available may be used by the State Board for paying the actual difference between State and Out-of-State tuition fees for non-contract students, not to exceed, however, the sum of \$350.00 for any medical or dental student, nor the sum of \$300.00 for any student of veterinary medicine, landscape architecture, optometry, Physical Therapy, Occupational Therapy, Chiropractics, and students for Insurance Actuary. *Provided, Further,* That when any such non-contract student is approved by the State Board the payment provided herein shall be made directly to the institution or school involved for the account of such student, and shall not exceed one-third of the tuition charge.

Provided, Further, That out of the amount appropriated in Item 4 of this Section for scholarships, a sum not in excess of \$60,000.00, may be used by the South Carolina Regional Educational Board to

provide scholarships at out-of-State institutions, in courses not available at the South Carolina State College, but which are available at other State Institutions of Higher Learning which applicants for such scholarships are legally ineligible to attend. The amount of such scholarships shall not exceed the difference between the tuition charge at the South Carolina State College and the tuition fee charged by such out-of-State Institutions.

Provided, Further, That funds appropriated in Item 4 of this section for Scholarships (Grant-in-Aid) for study at private or state-supported institutions shall be only in fields of study offered by some state-supported institution in the United States; however, this proviso shall not apply to Chiropractics.

SECTION 67

Contributions

Item 1. Association of the Blind	\$ 25,000.00
Item 2. Confederate Museum	100.00
Item 3. Spanish War Veterans	1,000.00
Item 4. Council State Governments	10,000.00
Item 5. Carolina Orphan Home	25,000.00
Item 6. Oakley Park Red Shirt Shrine	1,800.00
Item 7. Commission on Uniform State Laws	850.00
Commission on Uniform State Laws—Travel	900.00
Item 8. The Florence Crittenton Home (Charleston)	4,500.00
Item 9. Civil Air Patrol	15,000.00
TOTAL (Contributions)	<hr/> \$ 84,150.00

SECTION 68

Aid to Subdivisions

Item 1. Aid to Counties:	
Income Tax	\$ 4,200,000.00
Alcoholic Liquors Tax	2,500,000.00
Beer and Wine Tax	770,000.00
Insurance Tax	1,945,000.00

Bank Tax	330,000.00	
Gasoline Tax	7,700,000.00	
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Total (Item 1) Aid to Counties ...		17,445,000.00
Item 2. Aid to Municipalities:		
Alcoholic Liquors Tax	\$ 1,875,000.00	
Beer and Wine Tax	1,320,000.00	
Insurance Tax	180,000.00	
Bank Tax	165,000.00	
Motor Transport Fees	790,000.00	
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Total (Item 2) Aid to Municipalities		\$ 4,330,000.00
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TOTAL (Aid to Subdivisions)		21,775,000.00

Provided, That the above revenues shall be deposited in the General Fund of the State, and notwithstanding the amounts appropriated in the various items of this section, shall be allocated and paid to the Counties and Municipalities of the State in conformity with the percentages or proportions of such revenues prescribed by law.

SECTION 69

State Highway Department

For Operation, Maintenance and Construction:

General Administration	\$ 896,378.00
Engineering Administration	499,507.00
Motor Vehicle Administration	1,442,815.00
General Expense	260,600.00
Highway Maintenance	17,950,000.00
State Institutions	100,000.00
State Parks	10,000.00
Damage Claims	150,000.00
Highway Patrol	3,969,050.00
School Bus Driver Training	47,750.00
Debt Service	389,325.00
FICA, Retirement and Workmen's Compensation	1,697,000.00
Radio Maintenance	5,000.00
Equipment and Supply Costs	138,000.00

Equipment Purchases	1,897,550.00
Land and Buildings	150,000.00
Debt Retirement	4,146,000.00
Highway Construction and other pur- poses	29,342,125.00

TOTAL (Highway Department) ...	63,091,100.00
Beach Erosion Research (Gen. Fund)	25,000.00

Provided, That the State Highway Department is hereby authorized to spend all cash balances brought forward from the previous year and all income including Federal Funds and proceeds from bond sales accruing to the State Highway Department, but in no case shall the expenditures of the State Highway Department exceed the amount of cash balances brought forward from the preceding year plus the amount of all income including Federal Funds and proceeds from bond sales.

Provided, Further, That the State Highway Department, with the approval of the State Treasurer, is hereby authorized to set up with the State Treasurer such special funds out of State Highway funds as may be deemed advisable for proper accounting purposes.

Provided, Further, That the State Highway Department is hereby authorized to provide reasonable aid or assistance to its regular employees in moving their personal effects from one town or place to another town or place where their headquarters are so moved in the course of the business of the Department.

Provided, Further, That the State Highway Department is hereby authorized to secure bonds and insurance covering such activities of the Department as may be deemed proper and advisable, due consideration being given to the security offered and the service of claims.

Provided, Further, That the State Highway Department may set aside and deposit in its name the sum of five hundred thousand dollars as a revolving fund, and all payments from such fund shall be restored to the fund by vouchers drawn on the Comptroller General against the State Highway fund.

Provided, Further, That the State Highway Department is authorized to pay the cost of lighting the Gervais Street Bridge, between Columbia and West Columbia.

Provided, Further, That the State Highway Department is hereby authorized to charge a fee of thirty cents postage for every vehicle license mailed to the owner

Provided, Further, That employees of the State Highway Department shall receive a wage of not less than \$1.00 per hour, and no employee shall receive less than \$8.00 for an eight-hour work day.

Provided, Further, That the State Highway Department is hereby authorized to charge a fee of \$1.00 each for furnishing certified copies of abstracts of operating records of drivers in the administration of the Motor Vehicle Safety Responsibility Act of 1952, as amended; and also may establish an appropriate schedule of fees to be charged for copies of other records, lists, bidders' proposals, plans, maps, etc. based upon approximate actual costs of producing such copies, lists, bidders' proposals, plans, maps, etc., which schedule shall be effective upon approval by the State Highway Commission.

Provided, Further, That the Highway Department may sell any materials, supplies, or equipment classified as obsolete, surplus, or junk for which the Department has no further need, or offer same for trade-in on the purchase of new materials or equipment. All such sales of obsolete, surplus or junk materials or equipment by the Department shall be to the highest bidder not less than 10 days after having been advertised in a newspaper of statewide circulation at least once. *Provided,* That items having a value of less than \$25.00 may be disposed of by sale in the most advantageous way to the Department, and *provided further,* that the State Highway Department may make negotiated sales of surplus materials, equipment and supplies to county, state, and municipal agencies on a mutually agreed upon basis. All proceeds from the sale of such obsolete, surplus or junk material, supplies, and equipment shall be credited to the State Highway Fund.

Provided, Further, That the State Highway Department shall pay into the General Fund of the State the sum of \$402,178.00 as its proportionate share of the cost of administration of the following departments:

State Treasurer's Office	\$ 23,500.00
Comptroller General's Office	28,000.00
Attorney General's Office	115,000.00
State Budget and Control Board:	
Purchasing Division	29,000.00
State Tax Commission:	
Collection of Highway Revenue	206,678.00
Total	<hr/> \$402,178.00

SECTION 70

Recapitulation

Maintenance and Operation:

Section 3.	Legislative Department	\$ 988,657.00
Section 4.	Judicial Department	707,107.00

Executive and Administrative Division

Section 5.	Governor's Office	773,423.62
Section 6.	Lieutenant Governor's Office	7,877.00
Section 7.	Secretary of State	94,333.00
Section 8.	Comptroller General	785,378.00
Section 9.	Attorney General	395,167.50
Section 10.	State Treasurer	2,333,176.76
Section 11.	Adjutant General	227,227.00

Educational Division

Section 12.	University of South Carolina	5,358,433.00
Section 13.	The Citadel	2,010,833.00
Section 14.	Clemson College (Collegiate Activities) ..	4,454,372.00
Section 15.	Winthrop College	2,146,819.00
Section 16.	State Medical College	3,431,004.00
Section 17.	S. C. State College	1,885,204.00
Section 18.	John de la Howe School	260,000.53
Section 19.	School for the Deaf and the Blind	705,582.04
Section 20.	State Superintendent of Education	91,977,196.18
Section 21.	South Carolina Opportunity School	216,385.00
Section 22.	State Agency of Vocational Rehabilitation	718,948.00
Section 23.	State Educational Finance Commission ..	20,334,490.00
Section 24.	Educational Television Commission	1,589,581.00
Section 25.	State Library Board	117,368.00
Section 26.	State Schoolbook Commission	82,126.00
Section 27.	Advisory Committee for Technical Training	1,851,972.00
Section 28.	Archives Department	129,665.00
Section 29.	State Library	12,811.00
Section 30.	Confederate Relic Room	3,967.00

Correctional and Welfare Division

Section 31.	Department of Public Welfare	8,150,122.00
Section 32.	S. C. Mental Health Commission	10,258,326.00
Section 33.	Whitten Village	3,093,922.50

Section 34.	South Carolina Sanatorium	1,182,427.00
Section 35.	S. C. Alcoholic Center	194,634.00
Section 36.	Children's Bureau	124,122.00
Section 37.	Probation, Parole and Pardon Board ..	505,196.00
Section 38.	Department of Corrections	1,864,377.00
Section 39.	State Industrial Schools' Board	57,394.00
Section 40.	South Carolina School for Boys	347,364.00
Section 41.	Industrial School for Girls	153,584.00
Section 42.	John G. Richards Industrial School	263,894.86
Section 43.	Industrial School for Negro Girls	99,678.00

Regulatory Division

Section 44.	State Budget and Control Board	21,216,823.84
Section 45.	Board of Health	3,057,664.00
Section 46.	Water Pollution Control Authority	88,669.00
Section 47.	State Dairy Commission	77,453.50
Section 48.	Tax Commission	3,883,167.42
Section 49.	Insurance Department	767,366.00
Section 50.	Contractors' Licensing Board	32,052.00
Section 51.	State Service Bureau	301,127.00
Section 52.	Department of Agriculture	722,873.50
Section 53.	State Agricultural Marketing Commis- sion	50,567.00
Section 54.	State Forestry Commission	2,259,769.00
Section 55.	Clemson College (Public Service Activities)	3,127,612.00
Section 56.	State Soil Conservation Committee	84,711.00
Section 57.	Department of Labor	219,833.00
Section 58.	Employment Security Commission
Section 59.	Industrial Commission	375,470.00
Section 60.	Wildlife Resources Department	352,530.90
Section 61.	Board of Bank Control	290,286.60
Section 62.	Public Service Commission	463,723.67
Section 63.	Aeronautics Commission	344,479.00
Section 64.	State Development Board	768,893.28
Section 65.	Civil Defense Agency	92,912.00

Miscellaneous Division

Section 66.	Miscellaneous Appropriations	657,250.00
Section 67.	Contributions Division	84,150.00
Section 68.	Aid to Subdivisions	21,775,000.00

Section 69. Highway Department (Beach Erosion) 25,000.00

Total General Fund \$231,013,528.70

Section 69. Highway Department 63,091,100.00

GRAND TOTAL \$294,104,628.70

SECTION 71. The expenditure of moneys appropriated in this Act shall be by warrant requisitions directed to the Comptroller General. Upon receipt of the requisition, accompanied by invoices or other satisfactory evidence of the propriety of the payment, and itemized according to standard budget classifications, the Comptroller General shall issue his warrant on the State Treasurer to the payee designated in the requisition. *Provided, However, That,* upon approval and designation by the State Budget and Control Board, state institutions may requisition funds in favor of their own treasurer, itemized only to the extent of the purpose of the appropriation as expressed in this Act, and may deposit such funds in the name of the institution, and disburse same by check to meet the purposes of the appropriation, but strict account shall be kept of all such expenditures according to standard budget classifications.

SECTION 72. Upon the approval and designation of the State Budget and Control Board, state institutions may, at the beginning of the fiscal year, requisition from their respective appropriations, a sum of money, the amount of same to be approved by the State Budget and Control Board, to be used throughout the year as a revolving fund for the handling of payrolls and other necessary operating expenses, all payments from such revolving funds to be reimbursed to them by regular requisitions on the Comptroller General.

Provided, Further, That at all State institutions where institutional revenue is available for operation, such revenue shall, as far as practicable, be used before appropriations from the State's General Fund are requisitioned; and no funds shall be requisitioned from such appropriation except to meet actual operating obligations of the year for which such appropriations are provided.

SECTION 73. During the fiscal year 1964-65 the State's institutions of higher learning shall maintain rates not less than those charged

during the year 1963-64 for tuition, maintenance, and all other costs heretofore borne by those attending the said institutions, except the student activity fee, the amount of which may be fixed by the respective boards of trustees, and in all cases it is hereby required that such institutions shall charge fees which will fully cover all subsistence, laundry, infirmary treatment, and such other personal expenses, *Provided, Further,* That the University of South Carolina, The Citadel, Clemson College, Winthrop College, S. C. State College, the South Carolina Medical College (including revenue of the Medical College Hospital), and the South Carolina Opportunity School shall remit all revenues and income, collected at the respective institutions, to the State Treasurer according to the terms of Section 1 of this Act, but all such revenues or income so collected, except fees received as regular term tuition, matriculation, and registration, shall be carried in a special continuing account by the State Treasurer, to the credit of the respective institutions, and may be requisitioned by said institutions, in the manner prescribed in Section 71 of this Act, and expended to fulfill the purpose for which such fees or income were levied, but no part of such income shall be used for permanent improvements without the express written approval of the State Budget and Control Board; and it is further required that no such fee or income shall be charged in an amount in excess of what is necessary to supply the service, or fulfill the purpose for which such fee or income was charged. *Provided, Further,* That money derived wholly from athletic or other student contests, and any other funds derived wholly from the activities of student organizations, including income from the operation of canteens (at all State institutions) and book stores, shall not be considered as State funds, and may be retained at the institutions. *Provided, Further,* That the University of South Carolina may operate its Law School in the summer of 1964, both summer school and summer term, as it may be advised, and retain all additional tuition and other fees charged the law students therefor to aid it in such operation.

SECTION 74. All departments, institutions and agencies of the State are hereby required and directed to budget and allocate the appropriations herein made to them, so as to provide for operation on uniform standards throughout the fiscal year 1964-65, and in order to avoid a deficiency in such appropriations, and upon request of the Budget and Control Board to submit to the Board its budget or plan of operation for the year, and the said Board is authorized to

restrict the rate of expenditures of such agency if it appears that an unjustifiable deficit is likely to occur. *Provided, Further,* That the bonds of State officials violating the terms of this section shall be held liable therefor, unless the State Budget and Control Board has been advised of, and officially recognizes, the necessity for such deficit.

SECTION 75. Each department, institution, or other agency of the State is authorized to accept and receive such Federal Aid or grants as are or may be made available by the Federal Government for use in carrying out the purposes and functions of the department, institution or agency, but such funds when and as received, shall be deposited in the state treasury, if not in conflict with Federal regulations, and withdrawn therefrom as needed, in the same manner as that provided for the disbursement of state funds. *Provided, Further,* that donations or contributions from sources other than the Federal Government, for use by any state agency, shall be deposited in the state treasury, but in special accounts, and shall be withdrawn from the treasury as needed to fulfill the purposes and conditions of the said donations, or contributions, if specified, and, if not specified, as may be directed by the proper authorities of the department or institution.

SECTION 76. Except as otherwise provided in this Act, every appropriation under the classification of A-1 Salaries for a designated position shall be paid in monthly or bi-weekly installments to the person holding such position, but where a group appropriation is made for Personal Service, such appropriation shall be expended as may be determined by the officer in charge of such appropriation. *Provided, Further,* That the appropriated salaries for specified positions shall mean the maximum compensation for such position, and in any case where the head of any department can secure the services for a particular position or work at a lower rate than the salary specified in this Act, authority for so doing is hereby given.

Provided, Further, That no full-time employee of any State department or institution shall be paid any compensation or travel from any other department of the State Government except with the approval of the State Budget and Control Board.

SECTION 77. The salaries paid to officers and employees of the State, including its several boards, commissions and institutions shall be in full for all services rendered, and no perquisites of office or of employment shall be allowed in addition thereto, but such perquisites,

commodities, services or other benefits shall be charged for at the prevailing local value and without the purpose or effect of increasing the compensation of said officer or employee; *Provided, However,* That this shall not apply to the Governor's Mansion, nor to guards at any of the State's penal institutions and nurses and attendants at the State Hospital, Whitten Village, and the S. C. Sanatorium, when the cash compensation of such employees is \$3,800.00 or less per year. *Provided, Further,* That the Presidents of the State's institutions of higher learning may be permitted to occupy a residence on the grounds of such institutions without charge. *Provided, Further,* That the Farm Director, Farm Managers and specialists employed at State Farms Nos. 1 and 3 may be permitted to occupy residences situated on such farms without charge.

Provided, Further, That all salaries paid by State institutions and departments for which a lump sum appropriation is made, and from all departmental appropriations for groups of employees, shall be submitted to and approved by the State Budget and Control Board before becoming effective; and in submitting said salaries for approval of the said Board, the total salary paid to each officer and employee, included in such lump sum or group appropriations, shall be shown; and in any institution or department where one or more salaries are supplemented, the amount of such supplement shall be reported to the said Board for approval, and the source of such supplement.

SECTION 78. Provided, that the authorities of all institutions and departments for which a lump sum operating appropriation is provided, shall, before the beginning of the fiscal year to which such appropriations are applicable, submit to the State Budget and Control Board for approval an itemized budget for the operation of such department or institution during the ensuing fiscal year, and shall report to the State Budget and Control Board at least quarterly any changes in such approved budget so as to reflect the actual detailed operating costs of such department or institution.

Provided, Further, That no part of such lump sum appropriations shall be used for permanent improvements unless specifically authorized herein.

SECTION 79. That except as otherwise hereinbefore provided the base pay of legislative clerks and attaches, designated in Section 3 of this Act, shall apply to a session of forty legislative days, and that each Clerk and attache shall receive additional compensation for such service at the same rate for each legislative day in excess thereof, the

same to be paid from the approved accounts of the respective houses. *Provided, However,* That laborers and porters shall be paid for six days of each week of the entire session. *Provided, Further,* That all salaries under Items 5 and 6 shall apply to a period of six months between sessions of the General Assembly, and each Clerk and attache provided for therein shall be paid at the same rate from approved accounts of the respective houses for any period in excess thereof. *Provided, Further,* That no salaries shall be paid under these items during any period when the General Assembly is in regular or special session.

SECTION 80. That all employees of the State of South Carolina or any agency thereof while traveling on the business of the State, shall be allowed the sum of \$10.00 per day as subsistence expenses. No expense shall be allowed an employee either at his place of residence or at the official headquarters of the agency by which he is employed, except that the members of the Public Service Commission may be reimbursed at the regular mileage rate for one round trip each week from their respective homes to Columbia and may receive the regular subsistence allowance of other State employees for not exceeding three days in any week while in Columbia on official business. When an employee is assigned to work a particular territory or district, and such territory or district and his official headquarters are in different localities, or sections of the State, expenses may be allowed for necessary travel to his official headquarters. *Provided,* That members of the State Boards, Commissions or Committees, whose duties are not full time, and who are paid on a per diem basis, shall be allowed subsistence expenses while away from their places of residence on official business of the State. *Provided, Further,* That employees of the State traveling outside of the State on official business, shall be allowed the sum of \$12.50 per day as subsistence expenses, except that the Governor, Lieutenant Governor, State Treasurer, and Secretary of State shall be allowed actual expenses. *Provided, Further,* That each Circuit Judge while holding Court within or without the circuit in which he resides, and each Justice of the Supreme Court, while attending the sessions of said Court at Columbia, shall be allowed the sum of fifteen (\$15.00) dollars per day as subsistence expenses, and each Justice and Judge shall further receive such mileage allowance for travel as is provided for other employees of the State. Two members of the Supreme Court shall be allowed actual subsistence and travel expenses while attending the National

Convention of Chief Justices, and two Circuit Judges while attending the National Conference of State Trial Judges. *Provided, Further,* Whenever Agents, Auditors, Investigators, or other such employees of the State, are required in the performance of their regular audit or investigation duties to travel to cities of two hundred fifty (250,000) thousand, or greater, population, such employees shall be allowed the sum of \$2.50 per day additional as subsistence expenses.

The State Budget and Control Board is authorized to promulgate and publish regulations governing the application of the above-provided rates of travel of State employees.

That when an employee of the State shall use his or her personal automobile in traveling on necessary official business, a charge of 9 cents per mile will be allowed for the use of such automobile, and the employee shall bear the expense of supplies and upkeep thereof. When such travel is by a state-owned automobile, the State shall bear the expense of supplies and upkeep thereof, but no mileage will be allowed. *Provided,* That in traveling on the business of the State, employees are required to use the most economical mode of transportation, due consideration being given to urgency, schedules, and like factors.

Provided, Further, That no State-owned automobile shall be acquired by any agency of the State without prior approval of the State Budget and Control Board.

SECTION 81. That the Legislative members of State boards and commissions shall serve in their respective capacities as members of said boards and commissions until their successors shall have been elected or appointed, and qualified.

SECTION 82. That the per diem allowance of all boards, commissions and committees shall be at the rate of Ten (\$10.00) Dollars per day. *Provided,* That no full-time officer or employee of the State shall draw any per diem allowance for service on such boards, commissions or committees.

SECTION 83. That if necessary the board of trustees of State institutions of higher learning may limit the admission of students upon the basis of scholarship standing, or upon any other basis determined upon by the respective boards. *Provided, Further,* That no State scholarships shall be granted by State institutions of higher learning, namely: The University of South Carolina, The Citadel, Clemson College, and Winthrop College.

SECTION 84. Foreign citizens, friendly to the United States, who are beneficiaries of scholarships to any of the State's institutions of higher learning, which scholarships are provided for by the student body of such institution, or donation from private citizens of South Carolina, shall be allowed to pay tuition at the same rates as residents of the State.

SECTION 85. The Boards of Trustees of the University of South Carolina, The Citadel, Winthrop College, Clemson College, and S. C. State College, are hereby authorized to abate the tuition fee charged at these institutions to the extent of Fifty (\$50.00) Dollars to the winner of the American Legion High School Oratorical Contest and to the Governor of Boys' State and to the highest ranking student in the State in the annual National Science Talent Search and to the Governor of Girls' State; the said abatements to be for four (4) years in each instance. As to the winner of the American Legion High School Oratorical Contest and the Governor of Boy's State, the abatement shall be granted only when the American Legion, Department of South Carolina, shall have contributed a like amount per year. The abatement of tuition herein provided is for the purpose of furnishing a scholarship of One Hundred (\$100.00) Dollars per year to the winners of the above contests, the State of South Carolina and the American Legion, Department of South Carolina, co-operating on an equal basis in providing these scholarships.

SECTION 86. In addition to the powers and duties devolved upon the Budget and Control Board by the 1962 Code of Laws of this State, the said Board is hereby given full power and authority to make surveys, studies, and examinations of departments, institutions, and agencies of this State, as well as its problems, so as to determine whether there may be an overlapping in the performance of the duties of the several departments, institutions, and agencies of the State, that proper administrative and organizational economy is being observed, and for the purpose of determining whether a proper system of accounting is maintained in such departments, institutions, commissions, and agencies, and to require and enforce the adoption of such policies as are deemed necessary to accomplish these purposes; and to survey, appraise, examine and inspect, and determine the true condition of all property of the State, and what may be necessary to protect it against fire hazard or deterioration, and to conserve its use for State purposes, and to make and issue and to enforce all necessary, needful, and convenient rules and regulations for

the enforcement of this provision and to approve the destruction or disposal of records of no value to the State. *Provided, Further,* That the State Budget and Control Board may require that all plans and specifications for permanent improvements of any nature by any state department or institution shall be submitted to the said Board for approval prior to the awarding of any contract therefor, or prior to the construction by any other means. *Provided, Further,* That the State Budget and Control Board shall have the authority to designate State officials and employees who should be bonded, and the amounts for which such bonds should be written, and to require the same to be done.

SECTION 87. Any maintenance appropriations made herein or by special act now or hereafter, are hereby declared to be maximum, conditional and proportionate, the purpose being to make them payable in full in the amount named herein, if necessary, but only in the event the aggregate revenues available during the period for which the appropriation is made are sufficient to pay them in full. The State Budget and Control Board shall have full power and authority to survey the progress of the collection of revenue and the expenditure of funds by all departments and institutions, and is hereby authorized and directed to make such reductions of appropriations as may be necessary to prevent a deficit; *Provided,* That no institution or activity for which the General Assembly has herein provided shall be discontinued. *Provided, Further,* That any reduction of appropriations by the said Board, under authority of this Act, shall be uniform, and shall apply to all appropriations provided in this Act, except any part of such appropriations which may be encumbered by a written contract with an agency not connected with the State Government; and *Provided, Further,* That in making such reductions earmarked revenues shall be considered as a part of the amounts appropriated. *Provided, Further,* That no such reduction shall be ordered by the State Budget and Control Board while the General Assembly is in session without first reporting such necessity to the General Assembly.

Provided, Further, That the State Budget and Control Board is hereby authorized to borrow such amounts of money as may be necessary to pay appropriations made by the General Assembly, and to pledge for the payment of such loans any General Fund assets, including revenues of the next succeeding fiscal year.

Provided, Further, That the disbursement of all funds appropriated in this act for educational purposes shall be in the discretion of the State Budget and Control Board.

Provided, Further, That the expenditure of funds, heretofore or hereafter provided, by any State Agency, except the State Highway Department, for permanent improvements as defined in the State Budget, shall be subject to approval and regulations of the State Budget and Control Board. The Board shall have authority to allot to specific projects from funds made available for such purposes, such amounts as are estimated to cover the respective costs of such projects, to declare the completion of any such project, and to dispose, according to law, of any unexpended balances of allotments, or appropriations, or funds otherwise provided for such projects, upon the completion thereof.

SECTION 88. That transfers of appropriations herein provided may be made within departments, upon the unanimous approval of the State Budget and Control Board, but no such transfer shall be permitted for the purpose of increasing the compensation of any State employee which is specifically fixed in this Act.

SECTION 89. That unless specifically authorized herein, the appropriations provided in this Act as ordinary operating expenses of the State Government shall lapse on August 31, 1965. *Provided,* That appropriations for permanent improvements, or for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year following the close of the fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Budget and Control Board, toward the accomplishment of the purposes for which the appropriations were provided.

SECTION 90. The amounts appropriated throughout this Act for "Salary and Wage Adjustments" shall be used, by transfer approved by the State Budget and Control Board, to provide a uniform five percent compensation increase for all employees of the State who are paid from State supplied funds. *Provided, However,* That the said increase shall not be applied to salaries of \$20,000.00 or above, nor in an amount that will carry an existing salary above \$20,000.00. Where a department or institution is supplied with Federal or other funds for its operations, the amount appropriated herein for "salary and wage adjustments" shall be applied only to the proportion of its total salaries that the State-supplied operating funds provided bears to the total operating funds of the agency, and funds shall be allotted from the other agency sources to provide like compensation increases for the remaining salaries and wages of the agency, unless specifically

prohibited by the supplier of the supplemental operating funds. Provided, that this Section shall not apply to salaries specifically adjusted in this act.

SECTION 91. A sum of \$1,400,000.00 out of the general fund surplus at the end of the fiscal year 1963-64 shall be reserved and carried forward for the purpose of applying same to the payment of teachers' salaries for the fiscal year 1964-65 if the same is needed in addition to the current revenue of that year. The said \$1,400,000.00 shall be held until it can be determined whether or not all or any part of the same will be needed for the purpose in addition to the current revenue of that year. Provided any portion of same which may not be so needed shall be distributed to the counties as provided by law as of February 15, 1965.

End of Part I

PART II

Permanent Provisions

SECTION 1

Following sections to be permanent laws.

It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent laws of the State of South Carolina, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the Code.

SECTION 2

Number of pupils required to qualify for State aid.

Section 21-253, Code of Laws of South Carolina, 1962, is amended by striking out said section and inserting in lieu thereof the following:

"Section 21-253. No school in any school district shall continue open a longer period of time than that fixed by (a) the board of trustees in the district in which such school is located or (b) the county board of education in any county which may operate under a county unit plan. No school shall receive any benefits under the provisions of Section 21-252 which does not have the minimum average daily attendance for the previous scholastic year, or for the current scholastic year, fixed in the schedules below.

In three teacher high schools the minimum average daily attendance shall be 48; in four-teacher high schools the minimum average daily attendance shall be 68; in five-teacher high schools the minimum average daily attendance shall be 90; in six-teacher high schools the minimum average daily attendance shall be 114; in seven-teacher high schools the minimum average daily attendance shall be 140; in eight-teacher high schools the minimum average daily attendance shall be 168; in nine-teacher high schools the minimum average daily attendance shall be 198; in ten-teacher high schools the minimum average daily attendance shall be 230; in eleven-teacher high schools the minimum average daily attendance shall be 264; in twelve-teacher high schools the minimum average daily attendance shall be 300, and in all high schools with more than twelve teachers the minimum average daily attendance shall be 26 pupils for each teacher.

In one-teacher elementary schools the minimum average daily attendance shall be 17; in two-teacher elementary schools the minimum average daily attendance shall be 36; in three-teacher elementary schools the minimum average daily attendance shall be 60; in four-teacher elementary schools the minimum average daily attendance shall be 84; in five-teacher elementary schools the minimum average daily attendance shall be 110; in six-teacher elementary schools the minimum average daily attendance shall be 138; in seven-teacher elementary schools the minimum average daily attendance shall be 168; in eight-teacher elementary schools the minimum average daily attendance shall be 200; in nine-teacher elementary schools the minimum average daily attendance shall be 234; in ten-teacher elementary schools the minimum average daily attendance shall be 270; in eleven-teacher elementary schools the minimum average daily attendance shall be 308; in twelve-teacher elementary schools the minimum average daily attendance shall be 348; and in all elementary schools with more than twelve teachers the minimum average daily attendance shall be 30 pupils per teacher. The daily average attendance for state aid shall be based on any nine successive months of the previous school year, or of the current school year."

This Section shall become effective July 1, 1964.

SECTION 3

Schedule of State aid for teachers' salaries.

Section 21-258, Code of Laws 1962, is hereby amended by striking out the tabulated scale of salaries therein and substituting therefor the following:

SOUTH CAROLINA STATE AID TEACHERS' SALARY SCHEDULE

	Prior Yrs. Exp.	CLASS I				CLASS II				CLASS III				CLASS IV				CLASS V			
		(Master's Degree—Regular)				(Bachelor's Degree Plus 18 Semester Hours Graduate Work)				(Bachelor's Degree)				Advanced (Three Years College)				Regular (Two Years College)			
		A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D
1.	0	400	343	355	315	233	177	301	257	197	151	275	246	192	151
		3600	3087	3195	2835	2097	1393	2709	2313	1773	1359	2475	2141	1728	1359
		409	351	363	321	238	181	307	262	201	155	281	251	196	155
2.	1	3681	3159	3287	2869	2142	1629	2763	2358	1809	1395	2529	2259	1764	1395
		417	358	370	327	242	185	314	268	205	159	288	257	200	159
		3753	3222	3320	2943	2178	1665	2826	2412	1845	1431	2592	2313	1800	1431
Intermediate and	2	426	368	388	340	320	273	210	164	294	262	204	164
		3834	3294	3402	3006	2214	1701	2880	2457	1890	1476	2646	2358	1836	1476
		434	373	385	340	250	194	326	278	214	163	301	268	209	168
Intermediate Professional	3	3906	3357	3465	3060	2250	1746	2934	2502	1956	1512	2709	2412	1881	1512
		443	381	393	347	255	198	333	284	218	172	307	273	213	172
		3987	3429	3537	3123	2295	1782	2997	2556	1962	1548	2763	2457	1917	1548
3.	4	452	388	400	353	259	202	339	289	223	177	314	278	217	177
		4068	3492	3600	3177	2331	1818	3051	2601	2007	1593	2886	2502	1953	1593
		531	460	408	360	263	207
Advanced Professional	5	477	411	428	370
		4293	3699	3852	3330
		544	469	415	366	268	211
4.	6	4896	4221	3725	3294	2412	1899
		556	477	423	372	272	215
		5004	4293	3807	3348	2448	1935
Permanent	7	569	486	430	379	276	219
		5121	4374	3870	3411	2484	1971
		592	494	438	385	280	224
Permanent	8	5238	4446	3942	3465	2520	2016
		595	503	445	392	285	228
		5555	4527	4005	3528	2565	2052
Permanent	9	608	511	453	398	289	232
		5472	4509	4077	3582	2601	2088
		621	520	460	404	293
Permanent	10	5589	4680	4320	3807
		621	520	460	404	293
		5589	4680	4320	3807

Advanced Professional and Permanent Professional Certificates are not issued in Classes IV or V. Class IV Advanced, however, carries a final State Aid increment after 14 years, while no increment is provided after six years for Class IV Regular and Class V.

1st Figure—Salary for one month.

2nd Figure—Salary for nine months.

This Section shall become effective July 1, 1964.

SECTION 4**Distribution of beer and wine taxes and license fees.**

(A) Section 740 of Article 4 of Chapter 11, Title 65, Code of Laws of South Carolina, 1962, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

Section 65-740. Disposition of Taxes and License Fees. The taxes and license fees provided for in this article shall be paid to, and collected by, the Tax Commission, and, when collected, eighty-one per cent thereof shall be paid unto the State Treasury for ordinary State purposes, seven per cent thereof shall be distributed among the several counties of the State, on a population basis, according to the latest Federal census, and twelve per cent thereof shall be distributed among the incorporated cities and municipalities of the State, on a population basis, according to the latest Federal census, so that every incorporated city and town shall receive a share proportionate to its population in relation to the urban population of the State.

For the purpose of calculating the proper distribution of this tax to the municipalities of the State, a list of the municipalities, certified to be active by the Municipal Association of South Carolina, shall be used, and the word "active," as used for the purpose of distributing this tax, shall mean a municipality which has a regularly elected mayor or intendant, a town council and a police officer or officers and which is collecting property or other taxes for municipal purposes.

(B) This Section shall be effective on and after July 1, 1964.

SECTION 5**Certain reports of merchants to Tax Commission to be available to municipalities.**

Notwithstanding any other provision of law to the contrary, the Tax Commission shall make available to the authorities of any Municipality in the State levying a tax based on gross receipts of merchants any records indicating the amount of such receipts reported to the Tax Commission.

SECTION 6**Note issue for Whitten Village increased.**

Section 3 of Act No. 455 of the Acts of 1961, as amended, is further amended by striking on line seven "two million one hundred

thousand” and inserting in lieu thereof “two million six hundred thousand”.

SECTION 7

Amount of General Fund Reserve.

Notwithstanding the provisions of Section 1-781, Code of Laws of South Carolina, 1962, as amended, the General Fund Reserve to be established by the Budget and Control Board at the end of the fiscal year 1964-65 under the terms of Section 21-293, Code of Laws of South Carolina, 1962, shall be fixed at \$1,000,000.00.

SECTION 8

Compensation of members of General Assembly.

Section 30-52 of the 1962 Code is amended to read as follows:

“Section 30-52. Members of the General Assembly shall annually receive as compensation for their services the sum of two thousand four hundred dollars and mileage at the rate provided for by law for the actual distance traveled in the most direct route going to and returning from their homes on weekend adjournments of the General Assembly at the place where the sessions of the General Assembly are held. The terms of this provision shall be subject to limitations imposed by the State Constitution.

“The President of the Senate, the President pro tempore of the Senate, the Speaker of the House and the Speaker pro tempore of the House shall receive, in addition, such amounts as may annually appear in the State appropriation act.”

SECTION 9

Rental of space in new office building and use of revenue.

The State Budget and Control Board is hereby directed to require that all State or Federal agencies to be housed in the new State Office Building shall pay rent therefor at a square foot rate to be determined by the State Budget and Control Board, such rent to begin on and continue after July 1, 1965. The revenue derived from the rental paid for space in the said building shall be used by the State Budget and Control Board to apply to the amortization of the cost of the said building, the new office and laboratory building of the State Board of Health, the purchase of the Standard Oil building on Gervais Street, the equipment for and renovation of the other State Office Buildings, and for certain other parcels of land previously bought for the account of the State Sinking Funds in con-

nection with the building program cited above. The total expenditures for which this program is provided shall not exceed the sum of \$6,500,000.00. The amortization of this debt shall be on the basis of 3% interest for a period of twenty-five years.

SECTION 10

Salaries of justices.

Section 15-103, Code of Laws of South Carolina, 1962, is hereby amended by striking out said Section and substituting in lieu thereof the following:

"The Chief Justice shall receive an annual salary of twenty thousand dollars, and the Associate Justices shall each receive an annual salary of nineteen thousand five hundred dollars. They shall not be allowed any fees or perquisites of office, nor shall they hold any other office of trust or profit under the State, the United States, or any other power."

SECTION 11

Salaries of circuit judges.

Section 15-212, Code of Laws of South Carolina, 1962, is hereby amended by striking out said Section and substituting in lieu thereof the following:

"The circuit judges shall each receive an annual salary of nineteen thousand five hundred dollars."

SECTION 12

Benefits from Judicial Retirement System exempt from taxes.

Chapter 5, of Title 61, Code of Laws for South Carolina for 1962, is hereby amended by adding thereto a new section to be designated Section 61-256.1, which shall read as follows:

Section 61-256.1. Any retirement allowance, any optional benefit, or any other right accrued or accruing to any person under the provisions of this Chapter is hereby exempted from any State, County, or municipal tax.

SECTION 13

Payment of salaries of Public Service Commissioners.

Section 58-57 of the 1962 Code is amended to read as follows:

"Section 58-57. The chairman and members of the Commission shall receive annual salaries payable in the same manner as the salaries of other State officers are paid."

SECTION 14**Membership of Industrial Commission increased.**

Notwithstanding the provisions of Section 72-51 of the 1962 Code, the South Carolina Industrial Commission shall consist of six commissioners. The additional member shall be appointed in the same manner as provided for the other commissioners and shall have the same term of office.

SECTION 15**University of S. C. to fix tuition fees and other charges.**

Item (9) of Section 22-104 of the 1962 Code is amended to read as follows:

“(9) To fix tuition fees and other charges for students attending the University, but these shall not be inconsistent with statutes where the legislature undertakes to fix such fees and charges.”

End of Part II

All Acts or parts of Acts inconsistent with any of the provisions of Part I of this Act are hereby suspended for the fiscal year 1964-65. All Acts or parts of Acts inconsistent with any of the provisions of Part II of this Act are hereby repealed.

This act shall take effect immediately upon its approval by the Governor.

In the Senate House the 12th day of March

(R905, S342)

No. 830**An Act To Amend Section 55-307 Of The 1962 Code, Relating To Purchases For The State Prison System, So As To Permit Certain Purchases Without Bids.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 55-307 amended—purchases by prison system.—Section 55-307 of the 1962 Code is amended by adding at the end thereof the following: “*Provided*, however, that whenever it shall appear to the Director that a purchase can be made which is advantageous to the Prison Industry Division because

of an unusual situation in which goods are available substantially below the normal market price, the bid requirements of this section shall not apply, and such purchase may be made with the written approval of the State Auditor and the State Treasurer." The section when amended shall read as follows:

"Section 55-307. All contracts for the purchase of materials, supplies, equipment and sustenance for the prison system shall be upon competitive bids, except as hereinafter provided. Where the amount to be expended is in excess of the sum of two thousand dollars, the purchase shall be made upon sealed competitive bids received by the Director after ten days' advertisement in some paper or papers of general circulation in this State. Where the amount of the purchase is less than two thousand dollars, the Director shall, before letting any contract for such purchase, ask and receive not less than three sealed competitive bids for such contract. In cases of emergency, where the contemplated expenditure does not exceed five hundred dollars, the purchase may be made without competitive bids. *Provided*, however, that whenever it shall appear to the Director that a purchase can be made which is advantageous to the Prison Industry Division because of an unusual situation in which goods are available substantially below the normal market price, the bid requirements of this section shall not apply, and such purchase may be made with the written approval of the State Auditor and the State Treasurer."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R907, S702)

No. 831

An Act To Amend Sections 21-3952 And 21-3956 Of The 1962 Code, Relating To The School Board Of Trustees In Saluda County, So As To Make The Superintendent Of Education A Voting Member Of The Board And To Authorize The Secretary Of The Board To Call Meetings.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-3952 amended—board of trustees—number—voting areas—terms—appointments.—Section 21-3952

of the 1962 Code is amended by striking the semicolon after the word "officio" on line 4 and inserting in lieu thereof a period and by striking commencing on line 4 "however, he shall have no vote except in case of a tie where all members of the board are present and have voted." When amended the section shall read as follows:

"Section 21-3952. The board of trustees shall consist of nine members as follows:

The superintendent of education of the county shall be a member of the board ex officio.

For the purposes of this chapter Saluda County is divided into the following voting areas from which the remaining membership on the board of trustees shall be appointed: Voting Area No. 1 shall include that part of the county encompassed by Saluda Box No. 1; Voting Area No. 2 shall include that part of the county known as the Hollywood Attendance Area; Voting Area No. 3 shall include that portion of the county which is bounded on the east by the western boundary of the Hollywood Attendance Area to a point where the boundary of the Hollywood Attendance Area intersects State Highway No. 194 and thence south along State Highway No. 194 to the intersection of State Highway No. 194 and the boundary of Saluda Box No. 1, and bounded on the west by the eastern boundary of State Highway No. 39 and State Highway No. 702 between the town of Saluda and the northwest boundary of the county; Voting Area No. 4 shall include that portion of the county between the eastern boundary of State Highway No. 39 and State Highway No. 702 north of the town of Saluda and the western boundary of State Highway No. 19 going south; Voting Area No. 5 shall include that portion of the county between the junction of State Highway No. 194 northeast of the town of Saluda and the boundary of the Hollywood Attendance Area and the eastern boundary of Saluda Box No. 1 and State Highway No. 19 south of the town of Saluda and the eastern boundary of the Hollywood Attendance Area. The voting areas described herein are exclusive of areas formerly embodied in the Ridge Spring School District No. 2 and Saluda School District No. 3.

Two members of the board shall be residents of Voting Area No. 1; three members of the board shall be residents of Voting Area No. 2; one member shall be a resident of Voting Area No. 3; one member shall be a resident of Voting Area No. 4; and one member shall be a resident of Voting Area No. 5.

The terms of office of the members of the board shall be for four years except that the terms of those first appointed shall be staggered as follows: One from Voting Area No. 1, one from Voting Area No. 2, one from Voting Area No. 3, and one from Voting Area No. 4 shall be for two years with their terms of office expiring on June 30, 1962, and the terms of office of those first appointed for four years shall expire on June 30, 1964. Thereafter terms of all members shall be for four years and shall expire on June thirtieth of the year in which the term of office terminates. The members of the board shall be appointed by the Governor upon the recommendation of the legislative delegation of Saluda County."

SECTION 2. Section 21-3956 amended—officers and meetings.—

Section 21-3956 of the 1962 Code is amended by inserting after the word "chairman" on line 5 the words ", the secretary" so that when amended the section shall read as follows:

"Section 21-3956. The board of trustees shall organize itself by electing one of its members as chairman, for which office the superintendent of education shall be eligible. Such other officers as considered necessary may also be elected. The board shall meet upon the call of the chairman, the secretary or a majority of the members. The term of office of the chairman shall be for one year; however, he may be eligible for re-election."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

An Act To Amend Section 37-121 Of The 1962 Code, Relating To The Annual License Fees Payable By All Insurance Companies, So As To Revise The Schedule Of Such Fees.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 37-121 amended—schedule of license fees—

Section 37-121 of the 1962 Code is amended to read as follows:

"Section 37-121. The Chief Insurance Commissioner shall collect in addition to all other license fees or taxes provided by law, from all

companies which shall be licensed by him to do business in this State the following annual fixed license fees, to wit:

- (1) From each life company, the sum of fifty dollars;
- (2) From each accident and health company, the sum of forty dollars;
- (3) From each property company, the sum of fifty dollars;
- (4) From each casualty company, the sum of fifty dollars;
- (5) From each surety company, the sum of fifty dollars;
- (6) From each title company, the sum of fifty dollars;
- (7) From each marine company, the sum of fifty dollars;
- (8) From each multiple lines company, the sum of one hundred dollars;
- (9) From each mutual company doing a property business only in no more than three counties, the sum of twenty-five dollars;
- (10) From each mutual company doing a property business only in a single county, the sum of ten dollars; and
- (11) From each company not otherwise specified, the sum of one hundred dollars.

All of such insurance license fees collected by the Chief Insurance Commissioner shall be paid over to the State Treasurer at least once a month."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R909, S403)

No. 833

An Act To Define The Kinds Of Insurance For Which An Insurance Company May Be Licensed And To Specify The Combinations of Kinds Of Insurance That Are Prohibited.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Kinds of insurance which may be licensed.—The Chief Insurance Commissioner may license insurance companies, subject to other requirements of existing insurance laws, to transact the following kinds of insurance in this State:

(a) "Life Insurance," meaning every insurance upon the lives of human beings, including annuities.

(b) "Accident and Health insurance," meaning every insurance of human beings against death or personal injury by accident, and every insurance of human beings against sickness, ailment, and any type of physical disability resulting from accident or disease, but not including coverages required by the Workmen's Compensation Law of this State.

(c) "Property insurance," meaning every insurance against direct or indirect loss of or damage to any property resulting from fire; smoke; weather disturbances; climatic conditions; earthquake; volcanic eruption; rising waters; insects, blight; animals; war damage; riot; civil commotion; destruction by order of civil authority to prevent spread of a conflagration or for other reason; water damage; vandalism; glass breakage; explosion of any kind originating outside the premises of an insured person, firm or corporation; explosion or rupture of home heating or hot water systems; collision; theft of automobiles and personal effects therein (but no other form of theft insurance); loss of or damage to domestic or wild animals; and any other perils to property which in the discretion of the Chief Insurance Commissioner form proper subjects of property insurance, if not specified elsewhere in this section.

(d) "Casualty insurance," meaning every insurance against legal liability of the insured for bodily injury to or death of other persons, including Workmen's Compensation insurance, and for damages to or loss or destruction of the property of others; medical payments insurance when written in conjunction with any insurance covering liability for the deaths or bodily injuries of others; guaranteeing the fidelity of persons holding positions of public or private trust; loss of or damage to property caused by burglary, theft, larceny, robbery, forgery, fraud, or any unlawful taking or secretion of property owned by or entrusted to the insured; loss of or damage to property of the insured resulting from the explosion of or damage to any fired or unfired boiler or other pressure vessel, engine, turbine, compressor, pump, wheel, any apparatus generating, transmitting, or using electric power, and any machinery or equipment connected with any of the foregoing; and loss resulting from nonpayment of debts owed to merchants or other persons extending credit.

(e) "Surety insurance," meaning becoming surety on, or guaranteeing the performance of any lawful contract except an insurance contract; becoming surety on, or guaranteeing the performance of any bonds and undertaking required or permitted in any judicial

proceeding or required or permitted by any government, or any agency or instrumentality of any government.

(f) "Marine insurance," meaning every insurance against loss or destruction of or damage to vessels or watercraft and their cargoes; insurance covering the risks or perils of navigation, transit or transportation of all forms of property, including the liability of any carrier for hire for the loss of property of shippers delivered for transporting; marine builder's risks; bridges, tunnels, piers, wharves, docks and slips, dry docks, marine railways, and other aids to navigation and transportation; precious stones, precious metals, and jewelry, whether in the course of transportation or otherwise; coverage of personal property by all risk form known as the "Personal Property Floater"; and coverage of mobile machinery and equipment.

(g) "Title insurance," meaning every insurance of the owners of real property and other persons lawfully interested therein against loss by reason of defective titles and undisclosed liens and encumbrances affecting such property.

(h) "Multiple lines insurance," meaning any two or more of the kinds of insurance described in items (b), (c), (d), (e), (f), and (g) of this section.

SECTION 2. Kinds of insurance life insurers may write.—No life insurer shall be licensed to write any other kinds of insurance defined in Section 1 of this act except accident and health insurance, except, that the Commissioner shall, if the insurer is otherwise qualified therefor, continue to so authorize any life insurer which, immediately prior to the effective date of this act, was licensed to write in this State other kinds of insurance in addition to life and accident and health insurance.

SECTION 3. Certain insurers not to write life insurance.—No insurer licensed to write any of the kinds of insurance defined in items (c), (d), (e), (f), (g) and (h) of Section 1 of this act shall be licensed to write life insurance, except, that the Commissioner shall, if the insurer is otherwise qualified therefor, continue to so authorize any life insurer which, immediately prior to the effective date of this act, was licensed to write in this State other kinds of insurance in addition to life and accident and health insurance.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R910, S520)

No. 834

An Act To Amend Section 37-293 Of The 1962 Code Relating To Annual Insurance Company Statements To Be Filed, So As To Provide For Extension Of Filing Time.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Annual statement.—Section 37-293 of the 1962 Code is amended by striking the period following the word “oaths” on line 8 and inserting in lieu thereof the following: “, except that upon timely written request by the chief managing agent or officer, setting forth reasons why such statement cannot be filed within the time herein provided, the Chief Insurance Commissioner may, in writing, grant an extension of filing time for a period not to exceed thirty days.”, so that when so amended the section shall read as follows :

“Section 37-293. Every insurance company shall file in the office of the Commissioner on or before the first day of March in each year, in such form and detail as the Commissioner prescribes, a statement showing the business standing and financial condition of such company on the preceding thirty-first day of December, signed and sworn to by the chief managing agent or officer thereof before the Commissioner or some officer authorized by law to administer oaths, except that upon timely written request by the chief managing agent or officer, setting forth reasons why such statement cannot be filed within the time herein provided, the Chief Insurance Commissioner may, in writing, grant an extension of filing time for a period not to exceed thirty days. The Commissioner shall, in December of each year, furnish to each of the insurance companies authorized to do business in the State two or more blanks adapted for their annual statement.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R911, S523)

No. 835

An Act To Amend Sections 37-804, 37-805 And 37-810 Of The 1962 Code, Relating To Reciprocal Insurance, So As To Further

Provide For The Maximum Liability Of Subscribers; To Further Provide For Security Deposits As Required For Other Insurance Companies; And To Further Provide For The Maintenance Of Assets In Guaranty Fund Reserves.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 37-804 amended—maximum liability of subscribers.—Section 37-804 of the 1962 Code is amended to read as follows:

“Section 37-804. The maximum liability of any subscriber for losses and expenses shall be fixed and determined by the power of attorney.”

SECTION 2. Section 37-805 amended—security deposits.—Section 37-805 of the 1962 Code is amended to read as follows:

“Section 37-805. The Commissioner shall require every reciprocal exchange to provide security deposits pursuant to the provisions of Act No. 857 of 1962 as required for other insurance companies doing business in this State.”

SECTION 3. Section 37-810 amended—maintenance of reserves and guaranty fund.—Section 37-810 of the 1962 Code is amended to read as follows:

“Section 37-810. There shall be maintained as a reserve at all times assets in cash or securities authorized by the laws of the state in which the principal office of the attorney is located for the investment of similar funds of insurance companies doing the same kind of business in an amount equal to fifty per cent of the net annual advance premiums or deposits collected and credited to the accounts of subscribers on policies having one year or less to run and pro rata on those for longer periods or, in lieu thereof, one hundred per cent of the net unearned premiums or deposits collected and credited to the accounts of subscribers. There shall also be maintained as a guaranty fund or surplus an additional sum in cash or such securities of not less than that amount as provided for mutual insurance companies by Section 37-182 or 37-183. In addition to the foregoing requirements, in the case of liability insurance there shall be maintained as a claim or loss reserve in cash or such securities assets sufficient to discharge all liabilities on all outstanding losses arising under policies issued, such losses to be calculated in accordance with the law of the state relating to similar reserve companies insuring similar

risks. If at any time the amounts on hand are less than the foregoing requirements the subscribers or their attorney for them shall make up the deficiency."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R914, S681)

No. 836

An Act To Authorize The Beaufort County Board Of Directors To Lease Hangar Sites And Other Facilities At The Lady's Island Airport.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Beaufort County may lease airport facilities at Lady's Island Airport.—The Beaufort County Board of Directors is authorized to enter into leases for periods not exceeding ten years for hangar sites at the Lady's Island Airport, and to enter into leases and agreements concerning the other facilities at the Airport for not more than three years.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R916, H1714)

No. 837

An Act To Provide For A Division To Operate Under The Direction And Control Of The State Highway Department To Halt The Erosion Of The Shore Line Of The State.

Whereas, the General Assembly has been informed that the steady erosion of the shore line of the State has become a serious problem, and that immediate action is imperative if the seas are to be prevented from establishing any further claim on our valuable coastal acres; and

Whereas, the General Assembly believes that provision should be made without delay for an organization charged with research of

methods of combating erosion and setting into motion such controls as may be necessary to arrest its further advance. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Highway Department to have division for erosion control.—There is hereby created a division for erosion control which will operate under the supervision and control of the State Highway Department. The division shall be charged with research of methods of combatting erosion and of devising such means as will arrest the erosion of the shore line of the State, and of putting into effect the necessary controls.

SECTION 2. Organization of division.—The State Highway Department shall organize the division to perform the duties required by this act, and is authorized to employ such professional and clerical assistance as may be necessary, consistent with such appropriations as may be provided by law for this purpose.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R917, H2087)

No. 838

An Act Designating Certain Volunteer Fire Departments As Regular Organized Fire Departments, And Providing For The Expenditure Of Any Funds Accruing To Such Fire Departments.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain volunteer fire departments to be regular organized fire departments.—Any volunteer fire department having a headquarters station within or without a municipality, which is duly organized and has the officers which normally comprise the membership of a regular organized fire department, with ten or more active members, is hereby designated a regular organized fire department.

The chief of the department shall annually certify to the governing body of the municipality or the county, dependent upon where the headquarters station is located, the names of all officers and active

members. The clerk of the governing body shall in turn certify the names of the active members and the officers to the chief insurance commissioner.

SECTION 2. Funds.—Any funds accruing to an area serviced by a volunteer fire department which qualifies as a regular organized fire department shall be transmitted to the treasurer of the governing body of the area, and shall be expended for the benefit of the firemen of such department.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R918, H2226)

No. 839

An Act To Amend Section 8-152 Of The 1962 Code, Relating To The Term "Capital" As Used In Laws Of This State Relating To Banking, So As To Delete A Reference To The Reconstruction Finance Corporation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 8-152 amended—capital defined.—Section 8-152 of the 1962 Code is amended by putting a period after the word "institution" on line 4 and by striking the words "and sold by it to the Reconstruction Finance Corporation." on lines 4 and 5, so that when so amended the section shall read as follows:

"Section 8-152. The term '*capital*' as used in the laws of this State relating to banking shall be construed to embrace the amount of outstanding capital notes and debentures legally issued by any banking institution. The capital stock of any such banking institution may be deemed to be unimpaired when the amount of such capital notes and debentures as represented by cash or sound assets exceeds the impairment as found by the chief bank examiner."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R919, H2279)

No. 840

An Act To Provide In Charleston County For The Payments Of Alimony And Support Ordered By The Court Of Common Pleas Or The Charleston County Court To Be Transferred To The Domestic Relations Court For Collection And Enforcement, And To Grant Concurrent Jurisdiction In Rules To Show Cause And Supplementary Proceedings To The Domestic Relations Court.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Orders for alimony or support to be sent to domestic relations court.—The Clerk of Court of Charleston County shall, immediately upon the filing of an order for alimony or support payments from the Court of Common Pleas or the Charleston County Court, forward to the domestic relations court a copy of the order of alimony or support.

SECTION 2. Collection and enforcement.—The domestic relations court shall receive and pay out and enforce such order as if the order were an order of that court. A rule or supplementary proceeding may be brought in either the domestic relations court or the court of original jurisdiction.

SECTION 3. Pending cases to be transferred.—The Clerk of Court of Charleston County shall transfer to the domestic relations court all accounts now pending.

SECTION 4 Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R925, H2361)

No. 841

An Act To Create The McCormick County Development Board; To Provide For Its Membersip, Powers And Duties; And To Repeal Sections 14-400.441 Through 14-400.446 Of The 1962 Code, Relating To The McCormick County Planning And Development Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. McCormick County Development Board created.—There is hereby created the McCormick County Development

Board which shall be composed of eleven members. The four members of the Property Board of McCormick County shall be ex officio members of the board and the remaining seven shall be appointed by the Governor upon the recommendation of the legislative delegation for two-year terms. Any vacancy shall be filled as are original appointments.

SECTION 2. Purpose.—The Board is created for the purpose of promoting agricultural, industrial and commercial expansion and development in McCormick County.

SECTION 3. Officers — meetings — compensation — records.—The Board shall elect one of its members as chairman and shall appoint a secretary-treasurer, who may or may not be a member of the Board. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. The Board shall serve without pay but may provide for the reimbursement of the members for actual expenses incurred in attending meetings and other necessary expenses incurred in connection with business of the Board, upon approval of the legislative delegation. The Board shall keep minutes of its proceedings and shall make records of all official actions, which minutes and records shall be available for inspection by the McCormick County Legislative Delegation at all times.

SECTION 4. Employ personnel — enter into contracts.—The Board shall employ a full-time Director of Planning and Development and may employ such other personnel as may be provided for in the annual appropriations act. The Board may enter into contracts, but should the contract involve expenditure of money, prior written approval by a majority of the legislative delegation must be obtained.

SECTION 5. Gifts and grants.—The Board may accept gifts and grants of money from either private or public sources to be used in the promotion of this program, and all such moneys shall be accounted for in the same manner as funds appropriated by McCormick County.

SECTION 6. Cooperate with other groups.—For the purpose of carrying out the provisions of this act, the Board is authorized to cooperate with the State Development Board and with all towns, chambers of commerce, business leagues, civic clubs and other similar organizations in McCormick County and all other agencies and

organizations within and without the county which the Board may desire to cooperate with in the furtherance of the development and advertisement of McCormick County.

SECTION 7. Sections 14-400.441 through 14-400.446 repealed.—Sections 14-400.441 through 14-400.446 of the 1962 Code are hereby repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R931, H2389)

No. 842

An Act To Amend Section 17-302 Of The 1962 Code, Relating To Bail In Charleston County, So As To Limit The Provisions Of The Section To Bail Prior To Trial.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 17-302 amended—bail in Charleston County.—Section 17-302 of the 1962 Code is amended by adding at the end thereof "*Provided*, the provisions of this section shall apply in cases prior to trial only." so that when amended the section shall read as follows:

"Section 17-302. In Charleston County the amount of bail received by the clerk of court in any case covered by Section 17-301 shall be the amount fixed by the magistrate, coroner or judge committing such person to jail. In each case in which bail shall be allowed or received by the clerk of court of Charleston County under Section 17-301 or under Section 17-306 or 17-307 he shall, before discharging the person so admitted to bail, require each surety on any bond or recognizance to file with him certificates from the county auditor and register of mesne conveyance showing his legal qualification to act as surety on such bond or recognizance. The clerk of court shall record in the same book and dispose of each such recognizance and certificate in the same manner as provided for magistrates' recognizance, bonds, certificates and warrants in Section 43-246. *Provided*, the provisions of this section shall apply in cases prior to trial only."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R932, H2390)

No. 843

An Act To Amend Act No. 966 Of 1962, As Amended, Relating To The Municipal Court Of The City Of Charleston In Charleston County, So As To Permit The Judge Thereof To Require The Posting Of An Appeal Bond In United States Currency.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 9 of Act 966 of 1962 amended—appeal bonds.—Section 9 of Act No. 966 of 1962 is amended by inserting between “sureties,” and “as” on line 3 the following: “whether personal surety, corporate surety, or surety in the form of United States currency,”. When amended the section shall read as follows: “Section 9. Upon service of the notice the judge shall, on demand of the defendant, admit him to bail in such reasonable sum, and with good sureties, whether personal surety, corporate surety, or surety in the form of United States currency, as the judge may require, with conditions:

(1) To appear at the court appealed to and at any subsequent term to which the case may be continued, if not previously surrendered, and so from term to term until the final decree, sentence or order of the court thereon;

(2) To abide such final sentence, order or decree and not depart without leave; and

(3) In the meantime to keep the peace and be of good behavior.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R933, H2393)

No. 844

An Act To Repeal Section 14-3559 Of The 1962 Code, Relating To Compensation Of The Members Of The County Board Of Commissioners.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-3559 repealed.—Section 14-3559 of the 1962 Code is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R934, H2396)

No. 845

An Act To Amend Section 23-166 Of The 1962 Code, As Amended, Relating To Voting Precincts In Chesterfield County, So As To Combine The Angelus And Catarrh Precincts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Voting precincts combined in Chesterfield County.—Notwithstanding the provisions of Section 23-166 of the 1962 Code, as amended, in Chesterfield County the Angelus and Catarrh precincts are hereby combined and henceforth shall be known as the Angelus-Catarrh precinct.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R939, S679)

No. 846

An Act To Provide For The Publication Of Certain Ordinances By Municipalities In Georgetown County By Title Only And To Provide For Public Inspection Of Pending Ordinances.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Publication of ordinances by municipalities in Georgetown County.—Notwithstanding any provision of law to the contrary, any municipality in the County of Georgetown may publish only the title of any ordinance passed by it, for two consecutive weeks in a newspaper having general circulation in the city, and such publication shall be sufficient compliance with all legal requirements for publication of ordinances by the city; *provided*, any and all ordinances providing for the raising of revenue, licensing, or taxation shall be published in its entirety as now provided by law.

SECTION 2. To be open for inspection.—A copy of pending ordinances, published by title only, shall be kept in the office of the city clerk and shall be open to public inspection during regular office hours, during the period of publication.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R940, S504)

No. 847

An Act Providing For The Nomination Of The County Service Officer In Colleton County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Nomination of Service Officer in Colleton County.—Between May first and June first of each odd-numbered year all posts or chapters of nationally-organized and recognized organizations of war veterans in Colleton County shall hold a joint meeting to nominate a county service officer for the next term. Ten days before such meeting the adjutant of each post or chapter shall give written notice by mail to all of its members. The person receiving a majority vote of the members attending such meeting shall be the nominee and his name shall be certified by the commanders of the posts or chapters to the legislative delegation.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R941, S578)

No. 848

An Act To Amend Section 46-750.11 Of The 1962 Code, As Amended, Relating To Motor Vehicle Liability Insurance Policies, So As To Provide For The Recovery Of Punitive Damages Under Such Policies.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 46-750.11 amended—subitem (D) added—damages defined.—Section 46-750.11 of the 1962 Code, as amended by Act No. 312 of 1963, is further amended by adding at the end of subsection (3) the following subitem:

“(D) The term ‘damages’ shall include both actual and punitive damages.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R943, S634)

No. 849

An Act To Amend Act No. 847 Of The Acts Of 1962 As Amended Relating To Business Corporations So As To Eliminate The Requirement That The Words “Corporation”, “Incorporated”, Or “Limited” Be Included In The Name Of Building And Loan Associations Or Savings And Loan Associations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (b) of Section 3.1 of Act 847 of 1962 amended—name of domestic corporation.—Item (b) of Section 3.1 of Act No. 847 of 1962, as amended by Act No. 282 of the Acts of 1963, is further amended by inserting on line one after the comma: “building and loan associations, savings and loan associations, federal savings and loan associations,” so that when so amended the item shall read as follows:

“(b) The name of every domestic corporation except banks, building and loan associations, savings and loan associations, federal savings and loan associations, insurance companies, public utilities and railroads organized on or after the effective date of this Act shall contain the word ‘corporation’, ‘incorporated’, or ‘limited’, or an abbreviation of one of these words.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R944, S628)

No. 850

An Act To Amend Section 14-400.493 Of The 1962 Code, As Amended, Relating To The Metropolitan Planning Area Of The Richland And Lexington Counties Joint Planning Commission, So As To Include Additional Areas.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-400.493 amended—metropolitan planning area and nonmetropolitan area defined.—Section 14-400.493 of the 1962 Code, as amended, is further amended to read as follows:

“Section 14-400.493. (1) For the purposes of this article the ‘*metropolitan planning area*’ is defined as including the following census tracts officially designated as such by the United States Bureau of the Census for the 1960 census as 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, CA201, CA202, WC203, WC204, RC115, MC104, MC105, MC106, MC107, MC108, MC109, MC110, MC111, MC112, MC113, MC116, MC117, MC205, and MC206.

(2) The ‘*nonmetropolitan area*’ is defined as being those portions of Richland and Lexington Counties lying outside the metropolitan planning area.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R946, H1455)

No. 851

An Act To Amend Section 14-1401 Of The 1962 Code, Which Provides That The Sheriff And Treasurer Of Chesterfield County Shall Receive Salaries In Lieu Of Fees, So As To Provide That The Clerk Of Court Of Chesterfield County Shall Also Receive A Salary In Lieu Of Fees.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-1401 amended—certain officials to receive salaries in lieu of fees.—Section 14-1401 of the 1962 Code is amended by adding between the word “sheriff” and the word “and”

on line 3 the following: “, clerk of court”, so that when amended the section shall read as follows:

“Section 14-1401. In lieu of the retention of all fees, costs, commissions and charges and of any and all sums of money paid the sheriff, clerk of court and treasurer of Chesterfield County on account of compensation or otherwise such officers shall be paid such salaries as may be provided by law and annually appropriated by the General Assembly. All costs, fees, commissions and charges collected from a defaulting taxpayer upon delinquent tax executions by the sheriff of the county shall be paid into the county treasury monthly and shall be credited to the ordinary county funds.”

SECTION 2. Not to affect present clerk of court.—The provisions of this act shall not become effective during the term of office of the Clerk of Court of Chesterfield County who is in office on the effective date of this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R947, H2027)

No. 852

An Act To Amend Section 21-794 of the 1962 Code, Relating To Markings On School Buses, So As To Make Further Provision Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-794 amended — markings on school buses.—Section 21-794 of the 1962 Code is amended to read as follows:

“Section 21-794. Every school bus while being used in the transportation of school pupils shall be substantially painted with high visibility yellow paint, conforming and similar to National School Bus Chrome Yellow, and shall display the following markings:

1. Sides—The words ‘SOUTH CAROLINA PUBLIC SCHOOLS’ in four inch letters directly under windows.

2. Back—The words ‘SCHOOL BUS—STOP—S. C. LAW’ in letters eight inches high, five inches wide and one inch minimum stroke.

3. Front—The words 'SCHOOL BUS' in one line directly above windshield between flashing amber stop lights in five inch letters with one inch minimum stroke."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R949, H2210)

No. 853

An Act To Amend Section 38-308 Of The 1962 Code, As Amended, Specifying Compensation For Circuit Court Jurors In The Various Counties, So As To Increase The Rate Of Such Compensation In Hampton County From Two To Ten Dollars Per Day; And To Provide Compensation Of Bailiffs And The Court Crier.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (2) of Section 38-308 not applicable to Hampton County.—Notwithstanding item (2) of Section 38-308 of the 1962 Code the provisions thereof shall not be applicable to Hampton County.

SECTION 2. Item added to Section 38-308.—Section 38-308 of the 1962 Code, as amended, is further amended by adding a new item to read as follows:

“() In Hampton County, ten dollars.”

SECTION 3. Compensation of court crier and bailiffs.—The court crier and bailiffs in Hampton County shall be compensated at the same rate as jurors.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R950, H2228)

No. 854

An Act To Amend Section 8-252 Of The 1962 Code, Relating To Examinations Of Banks And Fees Therefor, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 8-252 amended — examination fees of banks, depositories and building and loan associations.—Section 8-252 of the 1962 Code is amended by striking it in its entirety and inserting in lieu thereof the following :

“Section 8-252. The Board of Bank Control shall fix the examination fees of banks, depositories, and building and loan associations on a scale which will yield sufficient revenue to defray the entire expense of examinations for each bank, depository, and building and loan association. *Provided*, that the board shall make at least two examinations every year of all banks and depositories and one examination every year of all building and loan associations.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R952, H2281)

No. 855

An Act To Provide A Course Of Action For Damages Against Special Service Districts In Greenville County, And To Further Provide For And Define The Causes Of Action Allowable Against Such Special Service Districts.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. When special service districts in Greenville County may be sued.—Any person suffering bodily injuries or property damage, or the representative of a person killed, by reason of the careless or negligent management or operation of any motor vehicle under the control of any special service district in Greenville County, while engaged in the business of such special service district, may recover not exceeding four thousand dollars. No recovery may be had if such injury, death or damage was caused by the negligence, or the

negligent or careless contribution thereto, of the plaintiff or the deceased, or by the contributory negligence of any third party. Before any action shall be brought, a duly certified claim shall be filed with the governing body of the special service district within three months after the date of such injury or damage, or action commenced within one year from such injury, death or damage.

SECTION 2. Special service districts defined.—Under this section a special service district shall be any district created by an act of the General Assembly wholly within Greenville County and authorized to furnish to residents of such district water, sewage disposal, garbage collection and disposal, and fire protection.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R953, H2330)

No. 856

An Act To Provide For A Referendum As To The Creation Of The Whitney Area Fire District In Spartanburg County And To Provide For Its Creation In The Event Of A Favorable Vote; To Provide For A Board Of Fire Control For The District; To Prescribe The Powers, Duties And Membership Of The Board; To Provide For Tax Levies; And To Provide Penalties For Certain Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Referendum concerning creation of Whitney Area Fire District.—The Spartanburg County Commissioners of Election shall conduct a referendum on the 14th day of April, 1964, to ascertain the wishes of the qualified electors residing within the proposed Whitney Area Fire District on the question of whether or not they favor the establishment of a rural fire district and favor the necessary tax levy.

The commissioners of election shall publish the information relating to the referendum once a week for two consecutive weeks in a newspaper having general circulation in the area.

SECTION 2. Conduct of election.—The commissioners of election shall have printed a sufficient number of ballots and have them distributed at the voting places. The ballots shall read as follows: “Do you favor establishing and operating a rural fire department in the Whitney area and the necessary tax levy?

In favor of ☐

Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of’ and those voting against the question shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to.’”

Only those persons otherwise qualified and owning taxable property within the area shall be entitled to vote. The officials responsible for canvassing the results of the election shall, within ten days, certify such results to the clerk of court of the county and to the Secretary of State.

SECTION 3. Whitney Area Fire District created if election favorable.—If a majority of those voting in the election vote in favor of the creation of the fire district, there is hereby established the Whitney Area Fire District in Spartanburg County encompassed within the lines as shown on a plat recorded in the R. M. C. Office of Spartanburg County in Plat Book 47, at Page 377.

SECTION 4. Board of fire control established.—After the creation of the Whitney Area Fire District, there is established a board of fire control for the district, to be composed of seven members who shall be appointed by the Governor upon the recommendation of a majority of the Spartanburg County Legislative Delegation. *Provided*, that of those first appointed, three members shall serve for terms of two years each, two members shall serve for terms of four years each, and two members shall serve for terms of six years each, or until their successors are appointed and qualify. The members of the board shall serve without pay and shall file annually a report with the Spartanburg County Board of Control, not later than the first of November of each year, showing all activities and disbursements made by the board during the year.

If at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose

of electing a member to the board to succeed the members whose terms will expire during such year, for a six-year term. Thereafter, members shall be elected in each succeeding general election for terms of six years.

SECTION 5. Duties.—The board shall have the following duties and responsibilities:

(a) To buy such fire-fighting equipment as the board deems necessary for the purpose of controlling fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the area where the fire-fighting equipment shall be kept.

(c) To provide and select the drivers and other volunteer firemen to man such equipment, who shall serve without compensation.

(d) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of the area.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire-fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(g) To construct, if necessary, buildings to house the equipment authorized herein.

(h) To borrow not exceeding twenty thousand dollars on such terms and for such a period as to the fire control board may seem most beneficial for the fire district in anticipation of taxes. The indebtedness shall be evidenced by a note issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the Whitney Area Fire District is hereby irrevocably pledged for the payment of the indebtedness.

SECTION 6. Tax levy.—The Auditor and Treasurer of Spartanburg County are hereby directed to levy and collect a tax of not more than three mills, to be determined by the board of fire control, upon all taxable property of the district for the purpose of defraying the expenses incurred by the board. All monies collected from this levy shall be credited to the fire district.

SECTION 7. Supervision of equipment.—The fire chief or equivalent official of the truck company to which the equipment is assigned

shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

SECTION 8. Enforcement of fire laws.—All members of the truck company of the district may direct and control traffic at the scene of any fire in the area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 9. Unlawful acts—penalties.—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire-department in the district, and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment for not exceeding thirty days.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R957, H2404)

No. 857

An Act To Create An Ambulance Service District In Richland County And To Provide A Penalty.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland County Ambulance District created.—The Richland County Ambulance District is hereby created. It shall include all that area of Richland County outside of the corporate limits of the City of Columbia.

SECTION 2. To be governed by a commission.—The District shall be governed by a Commission to be composed of three resident electors thereof to be appointed by the Governor upon the recommendation of a majority of the Richland County Legislative Delegation, including the Senator, whose terms shall be for six years and until their successors have been appointed and qualify, except of those first appointed one shall be appointed for a term of two years

and one shall be appointed for a term of four years. The members of the Commission shall meet as soon as practicable thereafter and select a chairman whose term shall be for one year.

SECTION 3. Duties.—The Commission shall be charged with the duties of furnishing adequate ambulance service for the residents of the District. In providing such service, the Commission may grant a franchise to a private concern, under such terms and conditions as it may deem necessary, for the right to furnish ambulance service in the District; *provided*, that at least thirty days prior to the awarding of a franchise the Commission shall advertise for bids in a newspaper published and having general circulation in Richland County. As a condition to accepting a franchise, the successful bidder shall agree to pay the cost of such advertising.

SECTION 4. Commission to approve terms of franchise.—No person who may be granted such a franchise shall charge any fee, use any equipment or employ ambulance personnel without receiving the written approval of the Commission.

SECTION 5. Penalties.—It shall be unlawful for any person to operate an ambulance service in the District without a franchise or written permission from the Commission. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days. Each violation shall constitute a separate offense.

SECTION 6. Exemptions.—The provisions of this act shall not apply to any person franchised by the City of Columbia, out-of-county or governmental ambulance services, or such service rendered by and in conjunction with rest homes, sanitariums and similar institutions. Nor shall it apply to any private ambulance service with principal place of business outside of Richland County when transporting any person on a trip originating outside of Richland County.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R958, H2413)

No. 858**An Act To Prohibit School District No. 5 Of Florence County From Consolidating With Any Other School District Unless A Referendum Is Held.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. School District 5 not to be consolidated unless voted on.—School District No. 5 of Florence County shall not be consolidated with any other school district unless such consolidation is approved by a majority of the qualified electors of the district in a referendum.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R959, H2444)

No. 859**An Act To Provide For Certain Marriage License Fees In Beaufort County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Marriage license fees.—Notwithstanding the provisions of Section 20-23 of the 1962 Code, the Judge of Probate shall charge a fee of two dollars for each marriage license application and a fee of three dollars for each license issued.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R960, H2445)

No. 860**An Act To Amend Section 65-1522 Of the 1962 Code, Relating To General Exemptions From Taxes, So As To Add A New Item Providing For The Exemption From Certain Taxes Of Property Owned By Certain Corporations Or Societies In Beaufort County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item added to Section 65-1522—certain organizations in Beaufort County exempt from taxes.—Section 65-1522 of the 1962 Code is amended by adding a new item which shall read as follows:

“() All property owned by any eleemosynary, charitable or fraternal corporation or society located in Beaufort County, chartered by the State and devoted to religious or charitable purposes, no profit of which inures to the benefit of any private stockholder or individual, but this exemption shall apply only to county, municipal and school district taxes.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R962, S709)

No. 861

An Act Authorizing The City Council Of Laurens To Enter Into A Contract For Group Hospitalization, Medical Benefits And Pension Plan On Behalf Of The City Employees; And To Further Provide For Such Insurance.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. City of Laurens may adopt group insurance plan for employees.—For the mutual benefit of the employees of the City of Laurens, the City Council of Laurens is hereby authorized to enter into a contract with some reputable insurance company which shall furnish group hospitalization, medical benefits or a pension plan for city employees.

SECTION 2. Participation to be voluntary.—Participation by each employee shall be voluntary on his part and nothing contained in this act shall in any way obligate such employee to participate in any group insurance plan or pension plan.

SECTION 3. Contribution by city.—The city shall contribute to the cost of the group insurance or pension plan authorized in this act, which sum shall be provided for in the annual budget of the City of Laurens.

SECTION 4. Employees share to be deducted.—The city shall deduct from the pay of each employee participating in the group insurance plan or the pension plan the sum which he is required to pay, which in turn shall be turned over to the insurance company having the coverage.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R963, H1114)

No. 862

An Act Making It Unlawful For Any Person Under Eighteen Years Of Age To Purchase Or Possess At Certain Places Beer Or Wine, Or To Give False Information Concerning Age Or For Any Person To Purchase Beer Or Wine At Certain Places With The Intent To Give The Beer Or Wine To A Person To Whom Beer Or Wine Can Not Lawfully Be Sold.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Unlawful to give incorrect age in order to purchase beer or wine.—It shall be unlawful for any person to whom beer or wine cannot be lawfully sold to knowingly give false information concerning his age for the purpose of purchasing beer or wine.

SECTION 2. Unlawful to purchase beer or wine for minors.—It shall be unlawful for any person to purchase beer or wine while on licensed premises and to give such beer or wine to a person to whom beer or wine cannot lawfully be sold, for consumption on such premises.

SECTION 3. Penalties.—Any person violating the provisions of this act shall, upon conviction, be fined not more than thirty days nor more than one hundred dollars, in the alternative.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R964, H2178)

No. 863

An Act To Create The State Department Of Mental Health And To Provide For The Transfer Of The Powers And Duties Of The South Carolina Mental Health Commission To Such Department; To Provide For The Appointment Of A State Commissioner Of Mental Health And Superintendents Of Mental Health Facilities; To Designate The State Department Of Mental Health As The State's Authority For Administering Certain Federal Funds And To Repeal Sections 32-925, 32-926, 32-932 And 32-936 Of The 1962 Code, Relating To Mental Health.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. State Department of Mental Health created.—There is hereby created the State Department of Mental Health which shall have jurisdiction over all of the State's mental hospitals, clinics and centers, joint State and community sponsored mental health clinics and centers and Pineland, A State Training School and Hospital, including the authority to name each facility.

SECTION 2. Powers and duties of Mental Health Commission transferred to Department.—All the powers and duties vested in the South Carolina Mental Health Commission immediately prior to the effective date of this act are hereby transferred to and vested in the State Department of Mental Health. Any proceedings pending on the effective date of this act before the South Carolina Mental Health Commission are transferred to the State Department of Mental Health. All unexpended appropriations made to the South Carolina Mental Health Commission are transferred to the Department of Mental Health. All records, files and other papers belonging to the South Carolina Mental Health Commission shall be continued as part of the records and files of the State Department of Mental Health.

SECTION 3. S. C. Mental Health Commission created.—There is hereby created a policy making Board of Regents for the State Department of Mental Health which shall be known as the South Carolina Mental Health Commission. The Commission shall consist of five members to be appointed by the Governor, upon the advice and consent of the Senate. The initial members of the Commission shall be the persons serving on the South Carolina Mental Health Commission immediately prior to the effective date of this act. The members

of the Commission shall serve for terms of five years and until their successors are appointed and qualify. The terms shall be so designated that the term of one member shall expire each year. The Governor shall have the power to remove any member of the Commission from office for cause. Any vacancy shall be filled by the Governor for the unexpired portion of the term. The Commission shall determine policies and adopt necessary rules and regulations governing the operation of the State Department of Mental Health and the employment of professional and staff personnel. The members of the Commission shall receive such subsistence, mileage and per diem as may be provided by law for members of boards, committees or commissions.

SECTION 4. Commission to appoint State Commissioner of Mental Health.—The Mental Health Commission shall appoint and, in its discretion, remove a State Commissioner of Mental Health, who shall be the chief executive of the State Department of Mental Health, and the person to whom reference is made in Section 2, Article 12 of the Constitution of South Carolina of 1895 as “the Superintendent”. Subject to the supervision, direction and control of the Mental Health Commission, the State Commissioner shall administer the policies, rules and regulations established by the Commission. The State Commissioner shall be a medical doctor duly licensed in South Carolina with approved training and experience in psychiatry. The State Commissioner shall have the power to appoint, and, in his discretion, remove all other officers and employees of the State Department of Mental Health, subject to the approval of the Mental Health Commission.

SECTION 5. Department may be divided into divisions.—The Department of Mental Health may be divided into such divisions as may be authorized by the State Commissioner of Mental Health and approved by the Commission. These divisions may be headed by deputy commissioners, but any deputy Commissioner heading a medical division must be a medical doctor duly licensed in South Carolina.

SECTION 6. Commissioner may appoint superintendents for mental health institutions.—The State Commissioner of Mental Health may appoint a superintendent of each hospital, with the approval of the Mental Health Commission. Each superintendent shall be a medical doctor duly licensed in South Carolina with approved training and experience in psychiatry. The State Commissioner may also,

with the Commission's approval, appoint a superintendent of Pine-land, A State Training School and Hospital. Such superintendent shall be a medical doctor duly licensed in South Carolina. The superintendent of each institution under the jurisdiction of the Department of Mental Health shall be responsible for the employment of all personnel at the institution, subject to the approval of the State Commissioner of Mental Health. The State Commissioner may serve as superintendent of one or more hospitals or other mental health facilities.

SECTION 7. Department to administer provisions of National Mental Health Act and to promote outpatient clinics.—The State Department of Mental Health is hereby designated as the State's mental health authority for purposes of administering federal funds allotted to South Carolina under the provisions of the National Mental Health Act, as amended. The State Department of Mental Health is further designated as the State Agency authorized to administer minimum standards and requirements for mental health clinics as conditions for participation in federal-state grants-in-aid under the provisions of the National Mental Health Act, as amended, and is authorized to promote and develop community mental health outpatient clinics. *Provided*, that nothing in this act shall be construed to prohibit the operation of outpatient mental health clinics by the South Carolina Medical College Hospital in Charleston. *Provided*, further, that nothing herein shall be construed to include any of the functions or responsibilities now granted the State Board of Health, or the administration of the State Hospital Construction Act (Hill-Burton Act), as provided in the 1962 Code of Laws and Amendments thereto.

SECTION 8. Certain references defined.—Wherever in the 1962 Code reference is made to the State Hospital, it shall mean a state hospital; wherever reference is made requiring the signature of the superintendent of any mental health facility, it shall mean the superintendent or his designee; and wherever reference is made to the State Director of Mental Health, it shall mean the State Commissioner of Mental Health.

SECTION 9. Exemptions.—The South Carolina Alcoholic Center, Whitten Village, the South Carolina Retarded Children's Habilitation Center, the South Carolina State Agency of Vocational Rehabilitation, and the South Carolina State Department of Education are exempt from the provisions of this act.

SECTION 9-A. Exemptions further.—Insofar as licensing is concerned, the provisions of this act shall not apply to any general hospital required to be licensed by the State Board of Health.

SECTION 10. Sections repealed.—Sections 32-925, 32-926, 32-932 and 32-936 of the 1962 Code are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1964.

(R965, H2194)

No. 864

An Act To Provide An Additional Method Of Annexing Property To A City Or Town Upon Petition Of All Of The Owners Of The Property And Without The Necessity Of An Election.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Method for annexing property contiguous to a municipality.—Any area or property which is contiguous to a city or town may be annexed to the city or town by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation. Upon the agreement of the governing body to accept the petition and annex the area, and the enactment of an ordinance declaring the area annexed to the city or town, the annexation shall be complete and the election provided for in Sections 47-14 through 47-17 of the 1962 Code shall not be required. No member of the governing body who owns property or stock in a corporation owning property in the area proposed to be annexed shall be eligible to vote on such ordinance. This method of annexation shall be in addition to any other methods authorized by law.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R967, H2377)

No. 865**An Act To Create The Office Of Civil Defense For Newberry County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Office of civil defense created for Newberry County.—There is hereby created an office of civil defense for Newberry County, which shall have the responsibility of establishing an emergency preparedness plan for natural disasters and national emergencies and to insure preparedness of the county to adequately deal with such disasters and provide for the common defense and protection of public peace, health and safety of lives and property of the county.

SECTION 2. Director and personnel.—The legislative delegation shall select a county director who is authorized to employ such additional personnel as needed to carry out the responsibilities of this office within the funds appropriated. The director shall be directly responsible to the county legislative delegation and shall furnish it a quarterly report of the activities and progress of the civil defense program in Newberry County.

SECTION 3. County employees to cooperate.—All officials and employees of Newberry County shall cooperate and assist in carrying out the responsibilities of the established civil defense plan for Newberry County. Any person serving in a volunteer capacity in a civil defense emergency shall have the same immunities as employees or officials of Newberry County while performing similar duties during times of emergency.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R968, H2382)

No. 866

An Act To Amend Section 65-1959.1 Of The 1962 Code, Providing For Deputy County Treasurer In Orangeburg And Sumter Counties, So As To Make Provision For Such Officer In Oconee County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-1959.1 amended—deputy county treasurer may be appointed in Orangeburg, Sumter or Oconee Counties.—Section 65-1959.1 of the 1962 Code is amended by striking on line 2 the following: “Orangeburg County treasurer or the Sumter County treasurer” and inserting in lieu thereof the following: “Orangeburg County treasurer, Sumter County treasurer or Oconee County treasurer” and by striking on line 5 the words “Orangeburg or Sumter County” and inserting in lieu thereof the words “Orangeburg, Sumter or Oconee County” so that when amended the section shall read as follows:

“Section 65-1959.1. If either the Orangeburg County treasurer, Sumter County treasurer or Oconee County treasurer shall become unable to perform the duties of his office, a deputy county treasurer may be appointed by the Governor, upon the recommendation of a majority of the Orangeburg, Sumter or Oconee County legislative delegation, as the case may be. Any such deputy treasurer shall exercise all powers and duties now devolved upon the county treasurer until such time as such treasurer is able to resume the duties of his office. Any such delegation of authority shall in no way relieve the treasurer of responsibility or liability under his bond. Any such deputy shall execute a bond payable to the county treasurer for the proper performance of his duties in the same amount required of such treasurer. Any such deputy shall receive such compensation as may be provided for in the annual county appropriation act.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R970, H2394)

No. 867

An Act To Amend Section 65-2009.3 Of The 1962 Code, Providing Penalties For Delinquent Taxes In Greenville County, So As To Make Further Provision Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sec. 65-2009.3 amended—delinquent tax penalties in Greenville County.—Section 65-2009.3 of the 1962 Code is amended

by striking on line three the word "December" and inserting in lieu thereof the word "January" and by striking on lines four, five, six, seven and eight the following: "If they are not paid on or before the first day of March next thereafter an additional penalty of one per cent thereon shall be added and if they are not paid on or before the first day of April next thereafter an additional penalty of four per cent thereon shall be added." The section when amended shall read as follows:

"Section 65-2009.3. In Greenville County the percentage penalty added to delinquent taxes shall be as follows: When such taxes shall not be paid on or before the thirty-first day of January, the penalty added shall be seven per cent thereon. If they are not paid on or before the fifteenth day of April the county treasurer shall issue his tax execution for such taxes, assessments and penalties against the property of the defaulting taxpayer according to law."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R971, H2438)

No. 868

An Act To Provide For The Transferring Of Rescue Squad Equipment To Newberry County; To Provide For Its Maintenance; To Provide For Insurance For Members Of The Squad; And To Provide For Training.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Voluntary rescue squads in Newberry County may transfer equipment to county.—Title to any equipment of voluntary rescue squads in Newberry County may be transferred to the county. The equipment so transferred shall be maintained by the county and all funds for this purpose shall be expended with the approval of the civil defense director

SECTION 2. Members to be certified and covered under Workmen's Compensation Act.—The membership of each squad shall be certified by the captain or chief of such squad to the governing body of the county. The county shall pay premiums on insurance to cover

not exceeding fifteen members in each squad under the Workmen's Compensation Act.

SECTION 3. Training of members.—The members of each squad shall take and pass such training as may be prescribed by the civil defense director.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R972, H2450)

No. 869

An Act To Amend Section 27-81 Of The 1962 Code, Relating To The Clerk Of Court Fees In Dillon County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sec. 27-81 amended—clerk of court fees for Dillon County.—Section 27-81 of the 1962 Code is amended by striking “one dollar” on line 4 and inserting “two dollars”; by striking “one dollar” on line 6 and inserting “three dollars”; by striking “one dollar” on line 7 and inserting “two dollars”; and by striking “for recording plats, fifty cents” on line 28 and inserting “for recording plats, one dollar”, so that when amended the section shall read as follows:

“Section 27-81. The following fees and commissions shall be charged by the clerk of court of Dillon County for official services performed, (a) for recording deeds of conveyance of real estate, when form used conforms to one page deed form, two dollars and twenty-five cents, and when form used conforms to regular deed form, three dollars and fifty cents, and when form used does not conform to either of the forms mentioned above, two dollars for the first page and fifty cents for every other page; (b) for recording real estate mortgages, when the form used conforms to the regular form, one dollars and fifty cents, and when such form does not conform to the regular form, one dollar for the first page and fifty cents for every other page; (c) for notes and bills of sale, seventy-five cents, except that when a copy is furnished for the purpose of recording the fee shall be only

fifty cents; (d) for long-form chattel and crop mortgages, one dollar, except that when a copy is furnished for the purpose of recording the fee shall be only seventy-five cents, and except that when the recording of chattel mortgages is done by use of the recording machine in the clerk's office the fee shall be one dollar for the first page and fifty cents for every other page; (e) for recording rights of way and easements over real estate, for the purpose of constructing rural electrifications, seventy-five cents, and for all other rights of way, one dollar; (f) for recording judgments by default of five hundred dollars or less, three dollars and sixty-five cents; (g) for recording judgments by default over five hundred dollars, seven dollars and fifteen cents; (h) for recording other judgments consisting of sixteen pages or less when turned over to the clerk for recording, three dollars and sixty-five cents; (i) for recording other judgments of more than sixteen pages, eight dollars and fifty cents; (j) for recording transcripts of judgments, fifty cents; (k) for recording plats, one dollar; and (l) for recording State tax liens, fifty cents.

No fees or commissions shall be charged for the following services: cancellation or transfer of mortgages, copies of birth certificates, recording of discharges and certified copies thereof, filing of papers in any litigation not covered above and warrants of attachments. No charge shall be made for the use of the official seal by the clerk of the court.

For any official acts or services rendered by the clerk of court not mentioned in this section, fees and commissions shall be charged as is provided by general law.

Should any work be done for the convenience of the public with the recording machine in the clerk's office, a fee of one dollar for the first page and fifty cents for every other page shall be charged."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

An Act To Amend Section 43-621 Of The 1962 Code, Relating To Magistrates In Berkeley County, So As To Eliminate The Provision For A Magistrate In The Alvin Section.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sec. 43-621 amended—number of magistrates for Berkeley County.—Section 43-621 of the 1962 Code is amended by striking on line two the word “fifteen” and inserting the word “fourteen” and by striking on line three the words “One magistrate shall be in the Alvin section, one” and inserting the words “One magistrate shall be”. The section when amended shall read as follows :

“Section 43-621. In Berkeley County there shall be fourteen magistrates distributed in the various districts as now provided by law. One magistrate shall be in the Goose Creek section, one in the Highland Park and Remount Road section, one in the Huger section, one in the Jamestown section, and one in the Macedonia section. Magistrates shall have such constables as may be authorized annually in the county appropriation act.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R974, H2454)

No. 871

An Act To Amend Section 38-61.1 Of The 1962 Code, Relating To Drawing Of Petit Jurors, So As To Provide That In Greenville County Fifty Petit Jurors Shall Be Drawn By The Jury Commissioners.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sec. 38-61.1 amended—number of petit jurors to be drawn.—Item (6) of Section 38-61.1 of the 1962 Code is amended by striking it out and inserting :

“(6) *Fifty jurors.*—Notwithstanding the provisions of Section 38-61, in the counties of Florence, Greenville and Horry the jury commissioners may draw fifty petit jurors.” The section when amended shall read as follows :

“Section 38-61.1. (1) *Thirty-six jurors.*—In the counties of Allendale, Chester, Clarendon, Dorchester, Edgefield, Georgetown, Hampton, Laurens, Lee, Lexington, McCormick, Newberry, Saluda and Union, the jury commissioners shall draw only thirty-six jurors.

(2) *Thirty-six or forty jurors.*—In the counties of Abbeville, Bamberg, Beaufort, Fairfield, Jasper and Marion, the jury commissioners shall draw only thirty-six petit jurors, unless in their discretion a greater number is needed at the approaching term of court, in which event the jury commissioners shall draw forty petit jurors.

(3) *Forty-five jurors.*—In the counties of Anderson and Spartanburg, the jury commissioners may draw forty-five petit jurors.

(4) *Forty-six jurors.*—Notwithstanding the provisions of Section 38-61, the Marlboro County jury commissioners shall draw forty-six petit jurors to serve in the court of general sessions.

(5) *Forty-eight jurors.*—The jury commissioners of Richland County shall draw forty-eight petit jurors.

(6) *Fifty jurors.*—Notwithstanding the provisions of Section 38-61, in the counties of Florence, Greenville and Horry the jury commissioners may draw fifty petit jurors."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R978, S580)

No. 872

An Act Authorizing The State Highway Department To Maintain And Preserve Three Covered Bridges With Necessary Connections And To Exempt The Department From Certain Damage Claims On Account Of Their Maintenance.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Highway Department may maintain certain covered bridges.—The State Highway Department is authorized to maintain and preserve the following covered bridges with the necessary connections with the State Highway System:

"The Chapman Bridge over the Keowee River on former State Route 11 near Jocassee between Oconee and Pickens County.

"The Prathers Bridge over the Tugaloo River on State Road 160 between Oconee County and the State of Georgia.

"The bridge over Long Crane Creek on State Road 36 about three and one-half miles west of Troy in McCormick County."

SECTION 2. Department may negotiate with Georgia for maintenance of Prathers Bridge.—The Department may negotiate with the appropriate officials of the State of Georgia for the joint preservation and maintenance of the Prathers Bridge.

SECTION 3. Pedestrian traffic may be limited.—The Department may limit the use of the bridges described herein to pedestrian traffic.

SECTION 4. Certain Code provisions not to apply.—The provisions of Article 6, Chapter 3, Title 33 shall not apply to the maintenance of the bridges described in this act.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R979, S683)

No. 873

An Act To Amend Sections 68-313.1, 68-313.2 And 68-313.3 Of The 1962 Code, Relating To Unemployment Compensation, So As To Make Further Provision For Legislative Appropriation Of Funds Credited To The State's Account In The Unemployment Trust Fund.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sec. 68-313.1 amended—use of money credited to State pursuant to Social Security Act.—Section 68-313.1 of the 1962 Code is amended by striking on line nine “herein” and inserting “in Section 68-313.2 (3)” and by striking on the last line of the section “fourth” and inserting “ninth”. The section when amended shall read as follows:

“Section 68-313.1. Money credited to the account of this State pursuant to Section 903 of the Social Security Act, as amended, may not be withdrawn or used except for the payment of benefits and for the payment of expenses for the administration of this Title. Amounts credited to this State's account in the unemployment trust fund under Section 903 of the Social Security Act which are obligated for administration or paid out for benefits shall be charged against equivalent amounts which were first credited and which are not already so charged; except that no amount obligated for administration during

a twelve-month period specified in Section 68-313.2(3) may be charged against any amount credited during such a twelve-month period earlier than the ninth preceding such period."

SECTION 2. Sec. 68-313.2 amended—use of money further.—Section 68-313.2 of the 1962 Code is amended by striking on the sixth line of item (3) "four" and inserting "nine" and by striking on the last line of item (3) "any of such five" and inserting "such ten". The section when amended shall read as follows:

"Section 68-313.2 Money credited to the account of this State in the unemployment trust fund by the Secretary of the Treasury of the United States pursuant to Section 903 of the Social Security Act, as amended, may be requisitioned and used for the payment of expenses incurred for the administration of this Title pursuant to a specific appropriation by the Legislature, provided that the expenses are incurred and the money is requisitioned after the enactment of an appropriation law which:

(1) Specifies the purposes for which such money is appropriated and the amounts appropriated therefor;

(2) Limits the period within which such money may be obligated to a period ending not more than two years after the date of the enactment of the appropriation law; and

(3) Limits the amount which may be obligated during any twelve-month period beginning on July first and ending on the next June thirtieth to an amount which does not exceed the amount by which (a) the aggregate of the amounts credited to the account of this State pursuant to Section 903 of the Social Security Act, as amended, during the same twelve-month period and the nine preceding twelve-month periods, exceeds (b) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this State during such ten twelve-month periods."

SECTION 3. Sec. 68-313.3 amended—requisition and deposit of money.—Section 68-313.3 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 68-313.3. Money appropriated as provided in Section 68-313.2 for the payment of expenses of administration shall be requisitioned as needed for the payment of obligations incurred under such appropriation and, upon requisition, shall be deposited in the employment security administration fund from which such payment

shall be made. Money so deposited shall, until expended, remain a part of the unemployment fund and, if it will not be expended, shall be returned promptly to the account of this State in the Unemployment Trust Fund."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R980, S704)

No. 874

An Act To Amend Section 15-279 Of The 1962 Code, As Amended, Relating To Terms Of Court In The Tenth Circuit, So As To Provide For An Additional Term In Oconee County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sec. 15-279 amended—terms of court in tenth circuit.—Item (2) of Section 15-279 is amended by inserting between the word "the" and the word "fourth" on line four "third Monday in February, the", so that when amended the section shall read as follows :

"Section 15-279. The courts of the tenth judicial circuit shall be held as hereinafter provided.

(1) Anderson County.—The court of general sessions for Anderson County shall be held at Anderson on the first Monday in February, the second Monday in May, the first Monday in September and the third Monday in November. The court of common pleas for the county shall be held at Anderson on the third Monday in January, the second Monday in March, the second Monday in April, the second Monday in June, the first Monday in October and the first Monday in December. Each term of court shall be for two weeks.

(2) Oconee County.—The court of general sessions for Oconee County shall be held at Walhalla on the fourth Monday in February, the fourth Monday in June and the first Monday in November. The court of common pleas for the county shall be held at Walhalla on the third Monday in February, the fourth Monday in May and the third Monday in September."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R983, S713)

No. 875

An Act To Amend Section 28-362 Of The Code Of 1962, Extending The Hunting Season Through Monday When It Expires On Sunday, So As To Open The Hunting Season A Day Preceding When The Opening Day Falls On Sunday.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sec. 28-362 amended—when hunting season to open or close when such date falls on Sunday.—Section 28-362 of the Code of 1962 is amended by adding thereto another sentence as follows: “Also, when the open season for hunting of game begins on a Sunday hunting shall be allowed on the Saturday preceding and the season for hunting game shall open on that day.” When so amended Section 28-362 shall read as follows:

“Section 28-362. In all instances when the open season for the hunting of game expires on Sunday such period shall be extended to include the following Monday. Also, when the open season for hunting of game begins on a Sunday hunting shall be allowed on the Saturday preceding and the season for hunting game shall open on that day.”

SECTION 2. Time effective.—This act shall take effect on approval by the Governor.

Approved the 27th day of March, 1964.

(R991, H2530)

No. 876

An Act To Amend Section 15-1608 Of The 1962 Code, Relating To The Jurisdiction Of The Civil Court Of Florence County, So As To Increase The Jurisdiction.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sec. 15-1608 amended—jurisdiction of Civil Court of Florence.—Section 15-1608 of the 1962 Code is amended on line 3 by striking the word “eleven” and inserting “twenty”. The section when amended shall read as follows:

“Section 15-1608. The civil court shall have jurisdiction to try and determine all civil cases, both at law and in equity, in which the amount claimed does not exceed the sum of twenty thousand dollars and in all other civil cases and special proceedings, both at law and in equity, proceedings for the annulment of marriages, proceedings for the adoption of children and proceedings brought for the purpose of procuring a change of name, in which there is no money demand or in which the right involved cannot be monetarily measured. In proceedings for the foreclosure of real estate mortgages as well as in proceedings involving other interest-bearing obligations the monetary jurisdiction of such court shall be determined by the principal amount due on the debt sued upon on the date of the commencement of the action, exclusive of interest and attorney’s fees.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R994, S757)

No. 877

An Act To Create The Oconee County Recreational Commission And To Prescribe Its Powers And Duties.

Whereas, the General Assembly has determined that the people of Oconee County can be benefited tremendously by the creation of a recreational commission and by making available for the use of the people certain recreational facilities. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Oconee County Recreational Commission created.—There is hereby created the Oconee County Recreational Commission which shall be a body corporate. The commission shall consist of six members who shall be appointed by the Governor upon the recommendation of the Oconee County Legislative Delegation. The members shall serve for terms of four years and until their successors have been appointed and shall qualify, except

of those members first appointed three shall serve for terms of two years, which shall be determined by lot at the first meeting of the commission after appointment. Upon determination of the terms of those who shall serve first on the commission, the chairman shall notify the Secretary of State who shall forthwith issue commissions.

The commission shall meet as soon as practicable after appointment and shall elect one of its members as chairman and such other officers as the commission may deem necessary. The term of the chairman shall be for one year and he may succeed himself.

SECTION 2. Accept gifts and grants — lease agreements.—

The commission is authorized to accept title to property situated in Oconee County in either fee simple or with such reversionary clauses as may be mutually agreed upon whereby the title to lands shall revert to the grantor upon certain specific conditions. The commission is authorized to accept any gifts or federal grants believed to be useful for recreational purposes and the decision of the commission to accept a gift shall be final. The commission is also authorized to enter into leases with the owners of land considered desirable in carrying out the purposes of this act.

SECTION 3. Duties.—The commission shall be charged with the care, management, control and development of all property acquired, whether by deed of conveyance or by lease, and shall have full authority to regulate the use of the property by rules and regulations which shall be published in a newspaper of general circulation in Oconee County and also posted in a conspicuous place on the property. All park and recreational facilities under control of the commission shall be developed to their greatest potential for educational and recreational purposes.

SECTION 4. Compensation—disbursements.—Members of the commission shall receive no salary but shall be entitled to such per diem, subsistence and mileage as authorized for commissions, committees and boards by law while in the performance of the duties for which appointed. The commission is authorized to disburse any funds which it might acquire, either by gift or by appropriation of the General Assembly, or otherwise, which shall be paid out on vouchers signed by the chairman of the commission.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R996, H1456)

No. 878

An Act To Amend Section 44-308 Of The 1962 Code, Relating To County Organizations For Civil Defense, So As To Further Provide For The Selection Of A County Director; To Provide For Municipal And County Property Officers For Civil Defense Purposes; And To Provide For The Appointment Of A Municipal Civil Defense Director.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. **Section 44-308 amended—county organization for civil defense—director—plans—property officers—municipal director—plans.**—Section 44-308 of the 1962 Code is amended by striking in its entirety and inserting in lieu the following :

“Section 44-308. (1) The legislative delegation, including the Senator, from each county and the mayor of any municipality which contributes at least one quarter of the total local fund provided for civil defense purposes shall select a county director who shall organize and establish a county organization for civil defense in accordance with the State Civil Defense Plan and Program. The county director shall be responsible for the development of a survival plan for national emergencies and natural disasters which shall be consistent with State Civil Defense Plans. The county director shall cooperate with adjacent counties for the development of mutual assistance agreements between counties for use during emergency conditions. The county director shall also coordinate the preparedness plans of all municipalities within his county. Where a municipality within his county does not have a preparedness plan it shall be the responsibility of the director to assist the municipality in the development of such plan provided that the municipality has not been included in a well defined county plan. Any survival preparedness plan shall have the approval of the county delegation, including the Senator, before being published, promulgated or acted upon.

(2) In order to establish legal liability and accountability for receipt of Federal surplus property, property purchased in part with Federal funds through civil defense and Federal property received in the form of grants from the Federal government through civil defense, the municipal governing body, including the mayor, shall appoint a property officer, forwarding copies of the appointment to the county civil defense director and to the State Civil Defense

Director. The person appointed to this responsibility shall either be an official or employee of the municipality. His appointment and custodianship of property shall be binding upon the municipality to observe the laws and regulations of the State and Federal government under which the property is donated, purchased or granted for civil defense use.

(3) In order to establish legal liability and accountability for receipt of Federal surplus property, property purchased in part with Federal funds through civil defense and Federal property received in the form of grants by the Federal government through civil defense, the legislative delegation, including the Senator, of each county shall appoint a property officer, forwarding a copy of the appointment to the State Director of Civil Defense. The person appointed to this responsibility shall either be an official or employee of the county. His appointment and custodianship of property shall be binding upon the county to observe the laws and regulations of the State and Federal government under which the property is donated, purchased or granted for civil defense use.

(4) It is the responsibility of each municipality to appoint a civil defense director who shall be appointed by the mayor and council. The appointment of the municipal director shall be by resolution with copies of the resolution furnished to the county civil defense director and to the State Civil Defense Director. The municipal civil defense director shall be responsible for the development of a preparedness survival plan for his municipality and shall coordinate this plan with the county civil defense director for conformity with county and State plans. Where the county has developed adequate preparedness plans which provide for all municipalities within the county, it will not be required that a municipality develop a plan of its own. Any plan developed by the municipal director must have the approval of the municipal governing body before being published, promulgated or acted upon."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R997, H1832)

No. 879

An Act To Amend Section 28-760 Of The 1962 Code, Requiring A United States Resident Possessing Certain Qualifications To Be On Board Any Shrimp Or Fishing Boat Operated From The Shores Of This State Or Within Its Territorial Jurisdiction, So As To Remove The Qualification Requirement.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-760 amended—shrimp or fish boats to have natural-born citizen aboard.—Section 28-760 of the 1962 Code is amended by striking on lines 4, 5, 6 and 7 the following: “who possesses and at all times has in possession a certificate of the sheriff of a coastal county approving of such operator and certifying his good moral character.” so that when so amended the section shall read as follows:

“Section 28-760. No shrimping or fishing boats shall be operated from any of the ports or shores of this State or within the territorial jurisdiction of the waters of this State unless there be constantly aboard each boat a natural-born citizen and resident of the United States.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R998, H2022)

No. 880

An Act To Amend Section 21-839 Of The 1962 Code, Relating To The Qualification And Employment Of School Bus Drivers, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-839 amended—school bus drivers—selection — qualifications — certificates.—Section 21-839 of the 1962 Code is amended by striking out all after the word “Department” on line thirteen and inserting in lieu thereof the following: “All school bus driver certificates shall be renewed every three years. Drivers who have certificates issued prior to September 1962 must enroll and

satisfactorily complete bus driver training courses prior to September 1965, and each three years thereafter. Local school superintendents shall supervise the conduct of pupils being transported and of school bus drivers. When any person is relieved of his duties as a bus driver, for just cause, the local school superintendent shall require the driver to turn in his school bus driver certificate which shall be forwarded to the State Educational Finance Commission. A certificate may be reissued to such a driver at a later date upon approval of the local superintendent and the State Educational Finance Commission." The section when amended shall read as follows:

"Section 21-839. The school bus drivers, whether students or adults, shall be selected and employed by the respective boards of trustees of the school districts, subject to the approval of the respective county boards of education. No person under sixteen years of age shall be eligible for consideration as a bus driver. Before being employed all prospective drivers shall be examined by the State Highway Department to determine their competency. The Highway Department shall provide a rigid school bus driver training course and issue special 'school bus driver's certificates' to successful candidates. No person shall be authorized to drive a school bus in this State transporting children, whether the bus be owned by the State, by a local school agency or by a private contractor, who has not been so certified by the Highway Department. All school bus driver certificates shall be renewed every three years. Drivers who have certificates issued prior to September 1962 must enroll and satisfactorily complete bus driver training courses prior to September 1965, and each three years thereafter. Local school superintendents shall supervise the conduct of pupils being transported and of school bus drivers. When any person is relieved of his duties as a bus driver, for just cause, the local school superintendent shall require the driver to turn in his school bus driver certificate which shall be forwarded to the State Educational Finance Commission. A certificate may be reissued to such a driver at a later date upon approval of the local superintendent and the State Educational Finance Commission."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R999, H2028)

No. 881

An Act To Repeal Section 21-806 Of The 1962 Code, Authorizing The County Boards Of Education To Designate School Bus Routes For Locally Owned Or Operated Buses.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-806 repealed.—Section 21-806 of the 1962 Code is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1000, H2029)

No. 882

An Act To Amend Section 21-839.1 Of The 1962 Code, Relating To Salaries Of School Bus Drivers, So As To Provide That Salaries Of Drivers Of State-Owned School Buses Shall Be As Fixed Annually By The General Assembly.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-839.1 amended—salaries of school bus drivers.—Section 21-839.1 of the 1962 Code is amended to read as follows:

“Section 21-839.1. Salaries of school bus drivers of state-owned buses shall be fixed annually by the General Assembly.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1001, H2199)

No. 883

An Act To Amend Act No. 320 Of 1963, Relating To The Quail Season In Game Zone No. 6, So As To Further Provide For The Quail Season In Williamsburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 320 of 1963 amended—quail season in Game Zone 6.—Section 1 of Act No. 320 of 1963 is amended by striking the following on line 4: "County in which county said" and inserting in lieu thereof "and Williamsburg Counties in which counties the". The section when amended shall read as follows:

"Section 1. In Game Zone No. 6 quail may be hunted from the Monday before Thanksgiving to March first, inclusive. *Provided*, the provisions of this act shall not apply to Bamberg and Williamsburg Counties in which counties the season shall remain as now provided by law."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1002, H2258)

No. 884

An Act To Add Section 28-1215.1 To The 1962 Code, So As To Make Special Penalties For Failure To Return Game Fish Caught In Nets Or Other Appliances In Lakes Marion And Moultrie And The Diversion And Tail Canals.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-1215.1 added—penalties for not returning certain game fish to waters.—A new section is added to the 1962 Code to read as follows:

"Section 28-1215.1. Should any game fish be taken by net or other appliance from the waters of Lake Marion, Lake Moultrie, the Diversion Canal connecting these lakes and the Tail Canal, except those provided for in Section 28-571, they shall be immediately returned to the water from whence they came. Any person who fails to comply with this provision shall be deemed guilty of a misdemeanor and upon conviction shall be fined one hundred dollars or be imprisoned for a period of not more than thirty days for a first offense, or not less than two hundred and fifty dollars nor more than five hundred dollars or be imprisoned for a period of not more than sixty days for a second offense, or not less than five hundred dollars nor more than one thousand dollars or be imprisoned for a period of not more than one hundred twenty days for a third and subsequent offense."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1003, H2291)

No. 885

An Act To Provide That Nongame Fish Nets, Otherwise Legal, Shall Conform In All Respects With The Use Of Shad Nets In The Savannah River.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Use of nets for catching nongame fish in Savannah River.—Notwithstanding any other provision of law to the contrary, during the open season for the catching of shad fish in the Savannah River, where nongame fish nets may be legally used, such nongame fish nets shall conform in all respects with the law, rules and regulations governing shad fishing.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1004, H2298)

No. 886

An Act To Amend Section 21-295 Of The 1962 Code, Defining Certain Terms Used In Regard To State Aid For The Education Of Handicapped Children, So As To Define Emotionally Handicapped Children And To Amend Section 21-295.3 Of The 1962 Code, Providing State Aid For The Education Of Handicapped Children, So As To Authorize Such Aid For Emotionally Handicapped Children.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-295 amended—definitions.—Section 21-295 of the 1962 Code is amended by adding at the end thereof the following new item:

“(5) ‘*Emotionally handicapped children*’ means children of legal school age with demonstrably adequate intellectual potential who, be-

cause of emotional, motivational or social disturbances are unable to benefit from or participate in the normal classroom of the public schools but who may be expected to benefit from special instruction and services suited to their needs." The section when amended shall read as follows:

"Section 21-295. (1) '*Physically handicapped children*' means children of sound mind and of legal school age who suffer from any disability making it impracticable or impossible for them to benefit from or participate in the normal classroom program of the public schools;

(2) '*Educable mentally handicapped children*' means children of legal school age who, because of retarded mental growth, are incapable of being educated profitably and effectively through ordinary classroom instruction, but who may be expected to benefit from special education facilities designed to make them economically useful and socially adjusted;

(3) '*Trainable mentally handicapped children*' means children of legal school age whose mental capacity is below that of those considered educable, yet who may profit by a special type of training to the extent that they may become more nearly self-sufficient and less burdensome to others;

(4) '*Special education program*' means education services carried on through special schools, special classes and special instruction;

(5) '*Emotionally handicapped children*' means children of legal school age with demonstrably adequate intellectual potential who, because of emotional, motivational or social disturbances are unable to benefit from or participate in the normal classroom of the public schools but who may be expected to benefit from special instruction and services suited to their needs."

SECTION 2. Section 21-295.3 amended—when State aid to be allowed.—Section 21-295.3 of the 1962 Code is amended by inserting after item (3) the following new item:

"(3.1) For special education for emotionally handicapped children, State aid shall be allowed for a teacher employed with a minimum enrollment of ten pupils and a minimum attendance of eight." The section when amended shall read as follows:

"Section 21-295.3. The State Superintendent of Education shall reimburse school districts of the State for providing special educational services when in compliance with the provisions of this

article and the rules and regulations of the State Board of Education, from the regular appropriation for teachers' salaries, in such manner as is provided by law. Such State aid shall be allowed as follows:

(1) For special education services for the physically handicapped or educable mentally handicapped, State aid shall be allowed for a teacher employed with a minimum enrollment of twelve pupils and a minimum attendance of ten.

(2) For special education services for the trainable mentally handicapped, State aid shall be allowed for a teacher employed with a minimum enrollment of ten pupils and a minimum attendance of eight.

(3) For special education for pupils with speech defects, State aid shall be allowed for a speech correctionist employed with a minimum of seventy-five pupils enrolled and a minimum attendance of at least eighty per cent, with this special aid being allowed notwithstanding the fact that such children may be counted for regular State aid in regular classes.

(3.1) For special education for emotionally handicapped children, State aid shall be allowed for a teacher employed with a minimum enrollment of ten pupils and a minimum attendance of eight.

(4) The proportionate part of a teacher's salary will be allowed when such teacher has less than the required minimum enrollment and attendance.

(5) If in any district there are handicapped children not able even with the help of transportation to be assembled in a school, instruction may be provided in the child's home, or in hospitals or sanatoria. Children so instructed may be counted under the provisions of this article. The State Board of Education shall determine the number of hours of home instruction acceptable in lieu of regular school attendance."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1007, H2387)

No. 887

An Act To Amend Section 58-1443 Of The 1962 Code, Relating To The Distribution Of Certain Motor Vehicle License Fees To Municipalities, So As To Provide That Such Distributions Shall Be Made Annually.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 58-1443 amended—distribution of license fees to municipalities.—Section 58-1443 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following :

“Section 58-1443. All license fees for the operation of motor vehicles for hire, collected by the Commission pursuant to the provisions of this article shall be deposited in the State Treasury and, after the costs of administration and collection shall have been deducted, shall be distributed annually by the State Treasurer to the incorporated cities and towns of the State pro rata, according to population as shown by the then most recent United States census; *provided, however*, that in each annual distribution of such funds, each county seat shall receive two thousand dollars, or such lesser proportionate part thereof as the net amount of such collections may permit, or its pro rata share according to population, whichever is the greater; and *provided, further*, that no incorporated city or town shall receive more than ten thousand dollars in any annual distribution.

Prior to each annual distribution, there shall be transferred from such collections to the general fund of the State so much as is estimated to cover the costs of administration and collection of such fees, and the remainder shall be distributed to the incorporated cities and towns of the State as of June thirtieth of each year.

In the event it should develop that an overpayment shall have been made to any or all of the municipalities eligible for such payments, the State Treasurer shall withhold from subsequent payments a sufficient amount to adjust the overpayment.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1008, H2391)

No. 888**An Act To Provide Ministerial Recorders For The City Of Cayce In Lexington County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. City of Cayce to have ministerial recorders.—

There is hereby established in and for the City of Cayce an office to be known as the office of ministerial recorder.

SECTION 2. Election — compensation — oath.—The ministerial recorders shall be elected by the mayor and city council of the City of Cayce and shall hold office at the pleasure of the city council. The salary of any ministerial recorder shall be fixed by the mayor and city councilmen of the City of Cayce. Before entering upon the discharge of the duties of the office of ministerial recorder, the person elected shall take and subscribe to the usual oath of office.

SECTION 3. Powers.—Any ministerial recorder shall have power to issue summonses, subpoenas, arrest warrants and search warrants for the recorder's court but shall have no other judicial power.

SECTION 4. Jurisdiction.—Any such ministerial recorder shall have jurisdiction to issue summonses, subpoenas, arrest warrants and search warrants in all cases arising under the ordinances of the City of Cayce and shall also have all such powers, duties and jurisdiction to issue summonses, subpoenas, search warrants and arrest warrants in criminal cases as are now conferred by law upon the magistrates appointed and commissioned for the County of Lexington.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1012, H2466)

No. 889**An Act To Amend Section 28-536 Of The 1962 Code, As Amended, Relating To Shooting Preserves, So As To Provide Open Season For Shooting Preserves In Game Zone No. 8 On All Types Of Pen-Raised Game.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-536 amended—hunting season for shooting preserves.—Section 28-536 of the 1962 Code, as amended, is further amended by striking on line 2 “and No. 7” and inserting “, No. 7 and No. 8” so that, when so amended, the section shall read:

“Section 28-536. In Game Zones No. 1, No. 2, No. 3, No. 4, No. 5, No. 6, No. 7 and No. 8, within the boundaries of shooting preserves licensed by authority of this section, the open season on all types of pen-raised game shall be from October first of any year to April first of the following year. The provisions of this section are not intended to close any open season on any type of game when such open season occurs between April first and September thirtieth of any year.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1014, H2491)

No. 890

An Act To Authorize The Clerk Of Court For Greenwood County To Destroy Certain Chattel Mortgages.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenwood County Clerk of Court may destroy old chattel mortgages.—The Clerk of Court for Greenwood County may annually destroy all chattel mortgages which have been of record for at least ten years.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1016, H2494)

No. 891

An Act To Amend Sections 15-1291, 15-1291.11 And 15-1291.15 Of The 1962 Code, Relating To The Juvenile And Domestic Relations Court Of Greenwood County, So As To Change The Age Limit Of Certain Persons From Eighteen To Seventeen Years.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-1291 amended—definitions.—Section 15-1291 of the 1962 Code is amended by changing the word “eighteen” on lines 7 and 8 to “seventeen” so that, when so amended, the section shall read:

“Section 15-1291. When used in this chapter, unless the context otherwise requires:

(1) ‘Court’ means the juvenile and domestic relations court of Greenwood County;

(2) ‘Judge’ means judge of the juvenile and domestic relations court of Greenwood County;

(3) ‘Child’ means a person less than seventeen years of age; and

(4) ‘Adult’ means a person seventeen years of age or older.”

SECTION 2. Section 15-1291.11 amended—transfer of cases to juvenile and domestic relations court.—Section 15-1291.11 of the 1962 Code is amended by changing “eighteen” on line 3 to “seventeen” so that, when so amended, the section shall read:

“Section 15-1291.11. If, during the pendency of a criminal or quasi-criminal charge against any minor in any other court, it shall be ascertained that the minor was under the age of seventeen years at the time of committing the alleged offense, it shall be the duty of such court to forthwith transfer the case, together with all the papers, documents and testimony connected therewith, to the juvenile and domestic relations court, except in those cases where the Constitution gives to the circuit court original jurisdiction.

The court making such transfer shall order the minor to be taken forthwith to the place of detention designated by the juvenile and domestic relations court or to that court itself, or shall release such minor to the custody of some suitable person to be brought before that court at a time designated. The juvenile and domestic relations court shall then proceed as provided in this chapter.”

SECTION 3. Section 15-1291.15 amended—preliminary investigation—petition.—Section 15-1291.15 of the 1962 Code is amended by changing “eighteen” on line 8 to “seventeen” so that, when so amended, the section shall read:

“Section 15-1291.15. Whenever any person informs the court that a child is within the purview of this chapter, the court shall make preliminary inquiry to determine whether the interests of the public or of the child require that further action be taken. Thereupon the court may make such informal adjustment as is practicable without

a petition, or may authorize a petition to be filed by any person. The petition and all subsequent court documents shall be entitled 'In the Juvenile and Domestic Relations Court of Greenwood County, In the Interest of , a child under seventeen years of age.'

The petition shall be verified and may be upon information and belief. It shall set forth plainly (a) the facts which bring the child within the purview of this chapter, (b) the name, age and residence of the child, (c) the names and residences of his parents, if known, and (d) the name and residence of his legal guardian, if there be one, of the person or persons having custody or control of the child, or of the nearest known relative, if no parent or guardian can be found. If any of the facts herein required are not known by the petitioner, the petition shall so state.

Prior to the hearing of a case of any child, the judge shall cause an investigation of all the facts pertaining to the issue to be made. Such investigation shall consist of an examination of the parentage and surroundings of the child, his age, habits and history, and shall include also any inquiry into the home conditions, habits and character of his parents or guardian. In such cases the court shall also, if practicable, cause the child to be examined as to his mentality by a competent and experienced psychologist who shall make a report of his findings. Prior to the hearing of a case of any child who attends school, there shall be obtained from the school which he attends a report concerning him. The school officials shall furnish such report upon the request of the court or its probation counselor. The court shall, when it is considered necessary, cause a complete physical examination to be made of the child by a competent physician."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

An Act To Permit The Recorder Of The City Of Cayce In Lexington County To Suspend Sentences.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Recorder for City of Cayce may suspend sentences.—The recorder of the City of Cayce in Lexington County may in his discretion suspend sentences imposed by him in such cases as come within his jurisdiction and upon such terms as in his discretion may seem fit and proper.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1021, H2519)

No. 893

An Act To Provide For Public Shelter Managers In Spartanburg County; To Define Their Powers And Duties; And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg County to have public shelter managers.—In Spartanburg County, in case of national emergency, the Civil Defense Director of the county may appoint public shelter managers who shall open public shelters, take charge of all stocks of food, water and other supplies stored in the shelters, admit the public according to the county's shelter use plan and take whatever control measures necessary for the protection and safety of the occupants.

SECTION 2. Penalties for not carrying out orders of shelter managers.—Shelter managers may use reasonable restraint against those who refuse to cooperate with the routine of shelter living under emergency conditions. Any person refusing to carry out the orders of the shelter managers and his appointed staff shall be deemed guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed one hundred dollars or imprisoned for a period not to exceed thirty days.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1022, H2520)

No. 894**An Act Relating To Civil Defense In Spartanburg County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Purpose of act—expenditures.—The declared purposes of this act are to provide for the preparation and carrying out of plans, including mock or practice drills, for the civil defense of persons and property within Spartanburg County in the event of a disaster, and to provide for the coordination of the civil defense and disaster functions of this county and all other public agencies and affected private persons. Any expenditures made in connection with civil defense and disaster activities, including mutual aid activities, and mock or practice drills, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the County of Spartanburg. This act is not in anyway to affect the work of the American Red Cross or other volunteer agencies organized for relief in natural disasters.

SECTION 2. Definitions.—a. As used in this act the term “Civil Defense” shall mean the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters. It shall not include, nor does any provision of this act apply to any condition relating to a labor controversy, riots, strikes, insurrections or civil disturbances.

b. As used in this act the term “Disaster” shall mean actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, earthquake, or other similar public calamity.

SECTION 3. Spartanburg Civil Defense Council created.—The Spartanburg Civil Defense Council is hereby created and shall consist of the following:

a. The County Legislative Delegation and the Mayor of each incorporated municipality within the county who participates financially in the Civil Defense Personnel and Administrative Program. The Chairman of the Delegation will act as Chairman of the Civil Defense Council.

b. The Director of Civil Defense, who shall be an ex officio member and vice chairman.

SECTION 4. Duties—meetings.—It shall be the duty of the Spartanburg Civil Defense Council to review and recommend for adoption

civil defense and mutual aid plans and agreements and such resolutions and rules and regulations as are necessary to implement such plans and agreements. The Civil Defense Council shall meet upon call of the chairman or in his absence from the county or inability to call such meeting, upon the call of the vice chairman.

SECTION 5. Director of Civil Defense—duties.—There is hereby created the office of Director of Civil Defense for Spartanburg County who shall be appointed by the Civil Defense Council.

The director shall:

a. Develop plans for the immediate use of all of the facilities, equipment, manpower and other resources of the county for the purpose of minimizing or preventing damage to persons and property; and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety, and welfare.

b. Negotiate and conclude agreements with owners or persons in control of buildings or other property for the use of such buildings or other property for the civil defense purposes and designating suitable buildings as public shelters.

c. Accept and approve, on behalf of the county, the fallout shelter license in the manner and form as set forth on the fallout shelter license or privilege forms approved by the Secretary of Defense.

d. Control and direct the effort of the civil defense organization of this county for the accomplishment of the purposes of this act.

e. Direct coordination and cooperation between divisions, services and staff of the civil defense organization of this county, and to resolve questions of authority and responsibility that may arise between them.

f. Represent the civil defense organization of this county in all dealings with public or private agencies, pertaining to civil defense and disaster.

g. Coordinate the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the county for civil defense purposes.

h. Educate, through public informational programs, the civilian population as to actions necessary and required for the protection of their person and property in case of enemy attack, natural disaster, or planned evacuation.

i. Conduct public practice alerts to insure the efficient operation of the civil defense forces and to familiarize residents with civil defense regulations, procedures and operations.

j. Coordinate the activity of all other public and private agencies engaged in any civil defense activity.

k. Assume such authority and conduct such activity as the Civil Defense Council may direct to promote and execute the civil defense plan.

SECTION 6. Powers of director.—In the event of disaster as herein provided, the director may:

a. Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster; *provided*, however, such rules and regulations must be confirmed at the earliest practicable time by the Civil Defense Council.

b. Obtain vital supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the people, and bind the county for the fair value thereof, and if required immediately, to commandeer them for public use.

c. Require emergency services of any county officer or employee, and in the event of a proclamation by the Governor of the existence of a disaster, to command the aid of as many citizens of this community as he considers necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered civil defense workers.

d. Execute all of the special powers conferred upon him by this act or by resolution adopted pursuant thereto, all powers conferred upon him by statute, agreement approved by the Civil Defense Council, or by any other lawful authority.

e. Requisition necessary personnel or material of any county department or agency.

SECTION 7. Civil defense organization.—All county and city officers and employees of this county, together with those volunteer forces enrolled to aid them during a disaster, and persons who may by agreement or operation of law, including persons pressed into service under the provisions of Section 6 (c) of this act, charged with duties incident to the protection of life and property in this county during disaster, shall constitute the civil defense organization of the County of Spartanburg.

SECTION 8. Functions and duties.—The functions and duties of the Spartanburg Civil Defense Organization shall be distributed among such divisions, services, and special staff as the Civil Defense Council shall prescribe.

The Director of Civil Defense shall concurrently with the adoption of this act and approval of the Council, prescribe the form of organization, establishment and designation of divisions and services, the assignment of functions, duties, and powers, the designation of officers and employees. Insofar as possible, the form of organization, titles and terminology shall conform to the recommendations of the Federal Government and Department of Civil Defense of the State of South Carolina.

SECTION 9. Unlawful acts—penalties.—It shall be unlawful:

a. To willfully obstruct, hinder, or delay any member of the civil defense organization in the enforcement of any lawful rule or regulation issued pursuant to this ordinance, or in the performance of any duty imposed upon him by virtue of this act.

b. To do any act forbidden by any lawful rules or regulations issued pursuant to this act, if such act is of such a nature as to give, or be likely to give assistance to the enemy, or to imperil the lives or property of inhabitants of this county, or to prevent, hinder or delay the defense or protection thereof.

c. To wear, carry, or display, without authority, any means of identification specified by the Department of Civil Defense of the State or local civil defense office.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed one hundred dollars or imprisoned for a term not to exceed thirty days.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1024, H2548)

No. 895

An Act To Create The Oconee County Commission For Adult Community Education; To Provide For Its Membership, Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Oconee County Commission for Adult Community Education created.—There is hereby created the Oconee County Com-

mission for Adult Community Education which shall be a body corporate and politic. The Commission shall consist of seven members who shall be appointed by the Governor upon recommendation of a majority of the legislative delegation for terms of four years and until their successors are appointed and qualify. Two of the members shall be appointed from the membership of the County School Board and shall serve ex officio. Of those first appointed, one shall serve for a term of one year; two shall serve for terms of two years; two shall serve for terms of three years; and two shall serve for terms of four years and until their successors are appointed and qualify. Any vacancy shall be filled for the unexpired portion of the term in the same manner as provided for the original appointment.

SECTION 2. Duties.—The Commission shall be charged with the duty of devising and developing plans to comply with the full intent of the Federal Manpower-Development-Training Act and any state statute pertaining thereto. The Commission shall further develop plans and their implementation concerning community adult education in Oconee County and shall do all things necessary to comply with the spirit of the program in making available to the State and to the Nation additional trained manpower which is so greatly needed in the rapidly-advancing technical age of today. These programs shall include, but shall not be limited to, the operation of all community school programs and the supervision of the budget available from both federal, state and county sources. All expenditures of the community school program and manpower development training program and all monetary claims in connection therewith shall be reviewed by the Commission and, after an approval of a majority of its members, shall be paid by the county school board of trustees. All school property shall be made available to the Commission where such use is not in direct conflict with the Oconee County school system.

The Commission shall make monthly reports to the County School Board which shall contain a resume of all decisions made and recommendations offered, and such reports shall contain further any pertinent recommendations that the Commission may deem desirable. The County School Board shall be responsible for all accounting and for payrolls and shall be the recipient and custodian of all funds, federal, state or county, received for use in the program envisioned by this act. The County Board of Education shall keep careful records of the activities of both the Board and the Commission.

SECTION 3. Powers.—To provide necessary authority for the achievement of purposes set forth in Section 2, the Commission is authorized to:

(1) Employ such services and personnel as may from time to time be required in discharging administrative and instructional responsibilities of the Commission;

(2) Make and promulgate rules and regulations as may be determined necessary to carry out the provisions of this act, which, when promulgated pursuant to statute, shall have full force and effect of law;

(3) Accept and administer funds or equipment from individuals, corporations or any local, state or federal governmental agencies;

(4) Accept donations;

(5) Enter into such contracts and do such other things as may be necessary in order to carry out the provisions of this section; and

(6) Acquire and sell property.

SECTION 4. Activities to be confined to Oconee County.—The Commission shall confine its responsibility and its activities to Oconee County and the school district and areas therein.

SECTION 5. Budget and audits.—The Commission shall submit a budget request to the Oconee County Legislative Delegation on or before January first of each year. Fiscal activities of the Commission shall be subject to local, state and federal audit when applicable.

SECTION 6. Compensation.—The members of the Commission shall receive no salary but shall be entitled to such mileage, subsistence and per diem as authorized by law for members of commissions, boards and committees.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1026, H2031)

No. 896

An Act To Amend Section 1-33 Of The 1962 Code, Relating To The Operation Of Concession Stands By Blind Persons, So As To Prohibit The Collection Of Certain Charges From Such Persons.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1-33 amended—operation of concession stands by blind persons.—Section 1-33 of the 1962 Code is amended by striking the period at the end of line 16 and adding the following: “, nor shall any charge be made for the installation or operation of a concession or for the maintenance of equipment of such concession. *Provided*, that if any rental payment or commission is charged by the owner of the premises for the location of such stand, then a charge equal thereto may be collected from the operator of the stand.” The section when amended shall read as follows:

“Section 1-33. The head of any department, board, agency or governing body in charge of any State, county or municipal building may, whenever in his judgment it shall be proper or suitable so to do, grant to the division for the blind, State Department of Public Welfare, a permit to operate in such building a stand for the vending of newspapers, periodicals, confections, tobacco products and such other articles as may be approved, such stand to be operated by a blind person under the supervision and control of said division for the blind. Such blind person must be twenty-one years of age, a citizen of the United States and resident of the State for one year immediately prior to the date of his application for a stand. In buildings where a stand existed on May 25, 1940, the person who was then operating such stand shall not be removed, but if and when such operator ceases to operate such stand the concession for further operation shall be granted to the division for the blind. No license fee, rental or other charge shall be demanded, exacted, required or received for the granting of such permit, nor shall any charge be made for the installation or operation of a concession or for the maintenance of equipment of such concession. *Provided*, that if any rental payment or commission is charged by the owner of the premises for the location of such stand, then a charge equal thereto may be collected from the operator of the stand.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1027, H2426)

No. 897**An Act Declaring Certain Vehicles In Horry County To Be Emergency Vehicles.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain vehicles in Horry County designated as emergency vehicles.—Vehicles of rural fire departments and vehicles of individual members of rural fire departments in Horry County, while traveling to fires or reported fires, are designated and shall be deemed to be authorized emergency vehicles.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1028, H2470)

No. 898

An Act To Amend Sections 32-762, 32-766, 32-774 And 32-781 Of The 1962 Code, Relating To The State Hospital Construction Act, So As To Further Designate The South Carolina State Board Of Health As The Sole State Agency For Control Of And Participation In Federal Grants For Construction Of Facilities For The Mentally Retarded And Community Mental Health Centers, And To Exempt Facilities Licensed By The South Carolina Mental Health Commission From Procuring A License For Operating Hospital Facilities.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Items (2) and (4) of Section 32-762 amended—definitions.—Items (2) and (4) of Section 32-762 of the 1962 Code are amended to read as follows:

“(2) ‘The Federal Act’ means Title VI of the United States Public Health Service Act (The Hill-Burton Construction Program); Part C, of Title I, Grants for Construction of Facilities for the Mentally Retarded and Title II, Construction of Community Mental Health Centers of Public Law 88-164, The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963; Health Facilities Construction Grants under Public Law 87-658, The Public Works Acceleration Act; and such other federal pro-

grams as may exist or be enacted which provide for the construction of hospitals and related health facilities.

“(4) ‘Hospital’ includes public health centers, and general, tuberculosis, mental, chronic disease, and other types of hospitals and related facilities, such as diagnostic or treatment centers, rehabilitation facilities, nursing homes, state health laboratories, nurses’ training facilities, facilities for the mentally retarded, and community mental health centers, but does not include any facility furnishing primarily domiciliary care; and”.

SECTION 2. Section 32-766 amended—advisory hospital council to be appointed.—Section 32-766 of the 1962 Code is amended to read as follows:

“Section 32-766. The Governor shall appoint an advisory hospital council to advise and consult with the Board and its legal representatives in carrying out the administration of this article. The council shall consist of thirty-one members as follows: five hospital administrators to be recommended by the State Hospital Association, five physicians to be recommended by the State Medical Association, one representative to be recommended by the State Department of Public Welfare, one dentist to be recommended by the State Dental Association, one registered pharmacist to be recommended by the State Pharmaceutical Association, two members to be recommended by the South Carolina Mental Health Commission, one representative to be recommended by the Governing Board of Whitten Village, one representative to be recommended by the Governing Board of the South Carolina Retarded Children’s Habilitation Center, one representative to be recommended by the State Board of Education, two registered nurses, two recognized architects and nine representatives of the consumers of hospital services selected from among persons familiar with the need for services in urban or rural areas.”

SECTION 3. Section 32-774 amended—State plan and hospital construction program.—Section 32-774 of the 1962 Code is amended to read as follows:

“Section 32-774. The Board shall prepare and submit to the Surgeon General a State plan which shall include the hospital construction program developed under this article and which shall provide for the establishment, administration and operation of hospital construction activities in accordance with the requirements of the Federal Act and regulations thereunder. The Board shall, prior to the

submission of the plan to the Surgeon General, give adequate publicity to a general description of all the provisions proposed to be included therein and may upon request hold a public hearing at which all persons or organizations with a legitimate interest in the plan may be given an opportunity to express their views. After approval of the plan by the Surgeon General the Board shall publish a general description of the provisions thereof in at least one newspaper having general circulation in each county in the State and shall make the plan, or a copy thereof, available upon request to all interested persons or organizations. The Board shall from time to time, review the hospital construction program and submit to the Surgeon General any modifications which it may find necessary and may submit to the Surgeon General such modifications of the State plan, not inconsistent with the requirements of the Federal act, as it may deem advisable."

SECTION 4. Section 32-781 amended—institutions to obtain licenses.—Section 32-781 of the 1962 Code is amended by eliminating the period at the end thereof and adding the following: ", except those facilities licensed by the South Carolina Mental Health Commission." The section when amended shall read as follows:

"Section 32-781. No institution which maintains and operates organized facilities for the diagnosis, treatment or care of two or more nonrelated persons suffering from illness, injury or deformity or where obstetrical or other care is rendered over a period exceeding twenty-four hours shall be established, conducted or maintained in the State without first obtaining a license therefor in the manner herein provided, except those facilities licensed by the South Carolina Mental Health Commission."

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1030, H2506)

No. 899**An Act To Exempt Mules From Certain Taxes In Dillon County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Mules exempt from taxes in Dillon County.—In Dillon County mules shall be exempt from all local and county taxes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1031, H2525)

No. 900**An Act To Redefine The Boundaries Of The Township Of Sullivan's Island In Charleston County.**

Whereas, subsequent to the establishment of the Township of Sullivan's Island in Charleston County the Town of Mount Pleasant lying generally northwest of such island has extended its boundaries, the Isle of Palms lying generally east of such island has been incorporated as the City of Isle of Palms, and the inland waterways surrounding the island on three sides have altered their courses, so that it has become desirable to redefine the boundaries of the Township of Sullivan's Island. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Township of Sullivan's Island defined.—The Township of Sullivan's Island in Charleston County shall include the area within the following described boundaries :

Commencing in the center line of Cove Inlet and the Intra-Coastal Waterway at a point marked "L" on a certain plat titled "Plat of Area Proposed for Annexation to Mt. Pleasant", by E. M. Seabrook, Jr., C.E., dated February 12, 1963, and recorded in the R.M.C. Office for Charleston County on February 15, 1963, in Plat Book N at page 127 and on microfilm in Book R-78 at page 219; thence in a generally easterly direction along the line "L"—"K"—"J" on such plat (which line is the present boundary line of the Town of Mount Pleasant and is also the present center line of the Intra-Coastal Water-

way) to point "J" on the plat; thence from point "J" on the plat (being a point on the Ben Sawyer Bridge connecting Mount Pleasant and Sullivan's Island) in a generally easterly direction along the center line of the Intra-Coastal Waterway until it intersects the center line of Swinton Creek; thence southwesterly and southerly along the center lines of Swinton Creek and Breach Inlet to a point opposite low water mark of the Atlantic Ocean on the southeasternmost part of the front beach of Sullivan's Island; thence with the curve of Sullivan's Island in a direction that is first generally southwesterly, then generally westerly and then generally northerly along the low water mark of the Atlantic Ocean on the front beach of Sullivan's Island to a point in the center line of Cove Inlet and the Intra-Coastal Waterway opposite low water mark of the Atlantic Ocean on the northernmost part of the front beach of Sullivan's Island; thence in a generally easterly direction along the center line of Cove Inlet and the Intra-Coastal Waterway to the point of beginning, being point "L" on the plat hereinabove referred to.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1032, H2541)

No. 901

An Act Adding Section 43-1068 To The 1962 Code, So As To Provide For The Disposition Of Criminal Matters In Union County When A Magistrate Is Ill, Incapacitated, Dies Or Is Beyond The Limits Of The County; And To Amend Section 43-1063 Of The 1962 Code, Relating To Preparation Of Jury Boxes In Magisterial Districts In Union County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 43-1068 added—Union County—when magistrates in adjoining districts may dispose of criminal matters.—The 1962 Code is amended by adding a new section, to read as follows :

"Section 43-1068. When a magistrate for Union County is ill, incapacitated, dies or is absent from his jurisdiction beyond the limits

of the county, such fact appearing by affidavit, any criminal matter within the jurisdiction of such magistrate may be disposed of by the magistrate of an adjoining district.”

SECTION 2. Section 43-1063 amended—preparation of jury boxes in Union County Magisterial Districts.—Section 43-1063 of the 1962 Code is amended by adding after the word “residents.” on line ten the following: “*Provided*, in the districts of Cross Keys, Goshen Hill, Fish Dam, and Santuc, not less than thirty such names shall be placed in apartment A of the jury box.” so that, when so amended, the section shall read:

“Section 43-1063. The jury commissioners of Union County shall, within the first thirty days of each fiscal year, prepare a box for each magisterial district of the county. Each box shall contain two apartments, designated as A and B respectively. The commissioners shall prepare and place, within such period of each fiscal year, in apartment A of each box the names of not less than one hundred residents who are qualified electors residing within the limits of the magisterial district, of good moral character and eligible for jury duty, except that apartment A of the jury box for the magisterial district at Union courthouse shall contain the names of not less than three hundred such residents. *Provided*, in the districts of Cross Keys, Goshen Hill, Fish Dam and Santuc, not less than thirty such names shall be placed in apartment A of the jury box. After so placing the names in apartment A of each box, the commissioners shall lock the boxes and place them in the custody of each magistrate of the county. If the jury commissioners fail to so prepare apartment A of the jury boxes within the time provided herein, they shall, upon notice from anyone interested, be prepared as provided by this section ten days from the discovery of the failure to so prepare them. Such jury boxes, when so prepared, shall be used until the next jury boxes are prepared.”

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1033, H2542)

No. 902

An Act To Create The Abbeville County Historic Preservation Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Abbeville County Historic Preservation Commission established.—There is hereby created and established the Abbeville County Historic Preservation Commission, hereinafter referred to as the Commission, with such duties, powers and authority as herein prescribed.

SECTION 2. To be corporate body.—The Commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such and be subject to the rules and regulations herein imposed.

SECTION 3. Appointments — terms — officers — compensation.—The Commission shall be composed of seven resident electors of the county to be appointed by the Governor upon the recommendation of a majority of the Abbeville County Legislative Delegation. The Mayor and City Council of the City of Abbeville may recommend two members; the Mayor and Town Council of the Town of Calhoun Falls may recommend two members; the Mayor and Town Council of the Town of Due West may recommend one member; the Mayor and Town Council of the Town of Donalds may recommend one member; and the Town of Lowndesville may recommend one member to the Abbeville County Legislative Delegation. The terms of the directors shall be for four years or until their successors are appointed and qualify, except for the first appointments which shall be as follows: one from Abbeville, one from Calhoun Falls, one from Due West and one from Lowndesville shall be for four years; one from Abbeville, one from Calhoun Falls and one from Donalds shall be for two years. All subsequent appointments shall be for four years.

Immediately upon the appointment of the Commission, it shall organize by electing one of its number as chairman, a second as vice chairman, and a third as secretary-treasurer. The officers of the Commission shall hold office for terms of one year and until their successors shall be chosen and qualify. It shall be the duty of the Commission to see that a record of the appointees to the Commission shall be filed in the Clerk of Court's office in Abbeville County, so as to indicate the persons holding office as members of the Commission

and the duration of their respective terms. No member of the Commission shall receive any compensation for his services as a member of the Commission. Membership on the Commission shall not be construed to be an office of honor or profit. The secretary-treasurer shall be bonded in the amount of one and one-half times the balance credited to the Commission's bank account or its anticipated annual income. All expenditures shall be by check signed jointly by the treasurer and the chairman.

SECTION 4. Powers and duties.—The Commission shall be empowered as follows:

- (1) To sue and be sued.
- (2) To adopt, use and alter a corporate seal.
- (3) To contract with others in furtherance of its purposes and to charge admission fees to its facilities.
- (4) To make bylaws for the management and regulations of its affairs.
- (5) To acquire, own, hold in trust, preserve, restore, maintain, suitably mark, develop, advertise, and operate buildings and structures of historic significance, and the land upon which the same may be situate, in Abbeville County, and to receive funds, grants, donations and appropriations for the accomplishments of these purposes.
- (6) To prescribe rules and regulations governing the use of the facilities.
- (7) To appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties.
- (8) To authorize and create advisory committees and special memberships and societies in furtherance of its purposes.

SECTION 5. Exempt from taxes.—All property of the Commission shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency, direct or indirect.

SECTION 6. Fiscal year, audit and report.—The Commission shall conduct its affairs on the fiscal year basis employed by Abbeville County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant of good standing, to be designated by the Commission. Copies of such audit, incorporated into an annual report of the Com-

mission, shall be filed with the Abbeville County Delegation and in the office of the clerk of court for the county.

SECTION 7. Appropriation.—This Commission and its operations shall be financed by an appropriation to be made by the Abbeville County Delegation to become a part of the annual appropriations act for Abbeville County. This amount shall begin with the sum of six hundred dollars for the fiscal year 1964-65, and shall be committed by the Abbeville County Appropriations Act for this fiscal year. Subsequent years shall be financed by a sum to be agreed upon by the delegation and the Commission.

SECTION 8. May borrow money and mortgage property.—The Commission shall have power and authority to borrow money and to mortgage or pledge its real and personal property; *provided*, that it shall not have the power to assume any obligation or incur any indebtedness binding upon the State of South Carolina or Abbeville County.

SECTION 9. When action may be taken.—Any action required of the Commission may be taken at any meeting of the Commission, regular or special, and at such meeting a majority of the members of the Commission shall constitute a quorum for the purpose of transacting the business of the Commission.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1034, H2546)

No. 903

An Act To Amend Act No. 385 Of 1963, Relating To The Clerk Of Court Of Berkeley County, So As To Change Certain Fees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (1), Section 6 of Act 385 of 1963 amended—fees.—Subsection (1) of Section 6 of Act No. 385 of 1963 is amended by striking it out and inserting in lieu thereof the following :

“(1) For the filing of a summons, petition or other first pleading, ten dollars, payable at the time of filing;”

SECTION 2. Subsection (2), Section 6 of Act 385 of 1963 amended—fees.—Subsection (2) of Section 6 of Act No. 385 of 1963 is amended by striking it out and inserting in lieu thereof the following:

“(2) Such fee shall cover all items in connection with the action, except for furnishing certified copies of any paper. Upon request, the clerk shall furnish two certified copies of any final judgment, decree or order to the plaintiff at no additional fee;”

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1036, H1749)

No. 904

An Act To Amend Section 15-285 Of The 1962 Code, Relating To The Terms Of Court In The Thirteenth Judicial Circuit, So As To Change The Term Of General Sessions Court In Greenville County From September To August.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (1), Subsection (a) of Section 15-285 amended—terms of court in Greenville County.—Item (1), Subsection (a) of Section 15-285 of the 1962 Code is amended by striking on line 11 “the first Monday in September for one week” and inserting in lieu thereof “the third Monday in August for two weeks.” The item when amended shall read as follows:

“(1) Greenville County.—(a) The court of common pleas for Greenville County shall be held at Greenville on the fourth Monday in January for three weeks, on the fourth Monday in March with two weeks for jury trials and one week for equity cases, on the third Monday in May for two weeks, the third Monday in June for two weeks, the second Monday in September for two weeks, the second Monday in October for two weeks and the second Monday in November with two weeks for jury trials and one week for equity cases. The court of general sessions for said county shall be held at Greenville on the second Monday in January for two weeks, the second Monday in March for two weeks, the first Monday in May for two weeks, the third Monday in August for two weeks, the fourth

Monday in October for two weeks and the first Monday in December for one week.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1964.

(R1037, H2319)

No. 905

An Act To Amend Section 65-1549.2 Of The 1962 Code, Relating To Tax Exemptions For Manufacturing Establishments In Darlington County, So As To Delete School Tax Exemptions, And To Increase The Cost Of Such Manufacturing Establishments Qualifying For Tax Exemptions From Twenty-Five To Fifty Thousand Dollars.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1549.2 amended—tax exemptions for certain manufacturing establishments in Darlington County.—Section 65-1549.2 of the 1962 Code is amended by striking out on line 2 “including school taxes” and inserting “except for school purposes”; and by striking out on line 3 “twenty-five” and inserting “fifty”, so that, when so amended, the section shall read:

“Section 65-1549.2. All new manufacturing establishments in Darlington County shall be exempt from all county taxes, except for school purposes, for five years if the cost of such establishment is at least fifty thousand dollars and such manufacturing establishment employs at least twenty-five persons.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1964.

(R1038, H2373)

No. 906

An Act To Amend Sections 46-561 Through 46-566 Of The 1962 Code, Relating To Brakes On Motor Vehicles, So As To Further Provide Therefor; And To Repeal Sections 46-567 Through 46-

570, Relating To Brakes On Motor Vehicles, And Sections 66-521 Through 66-523, Relating To Hydraulic Brake Fluids.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 46-561 amended—brake equipment required on certain vehicles.—Section 46-561 of the 1962 Code is amended to read as follows:

“Section 46-561. Every motor vehicle, trailer, semitrailer and pole trailer and any combination of such vehicles operating upon a highway within this State, shall be equipped with brakes in compliance with the requirements of this chapter.

(a) Every such vehicle and combination of vehicles, except special mobile equipment, shall be equipped with service brakes complying with the performance requirements of Section 46-562 and adequate to control the movement of and to stop and hold such vehicle under all conditions of loading, and on any grade incident to its operation.

(b) Every such vehicle and combination of vehicles, except motorcycles and motor-driven cycles, shall be equipped with parking brakes adequate to hold the vehicle on any grade on which it is operated, under all conditions of loading, on a surface free from snow, ice, or loose material. The parking brakes shall be capable of being applied in conformance with the foregoing requirements by the driver's muscular effort or by spring action or by equivalent means. Their operation may be assisted by the service brakes or other source of power provided that failure of the service brake actuation system or other power assisting mechanism will not prevent the parking brakes from being applied in conformance with the foregoing requirements. The parking brakes shall be so designed that when once applied they shall remain applied with the required effectiveness despite exhaustion of any source of energy or leakage of any kind. The same brake drums, brake shoes and lining assemblies, brake shoe anchors and mechanical brake shoe actuation mechanism normally associated with the wheel brake assemblies may be used for both the service brakes and the parking brakes. If the means of applying the parking brakes and the service brakes are connected in any way, they shall be so constructed that failure of any one part shall not leave the vehicle without operative brakes.

(c) Every vehicle, manufactured or assembled after June 7, 1949, shall be equipped with brakes acting on all wheels except:

1. Trailers, semitrailers or pole trailers, of a gross weight not exceeding three thousand pounds, provided that:

(a) The total weight on and including the wheels of the trailer shall not exceed forty per cent of the gross weight of the towing vehicle when connected to the trailer, and

(b) The combination of vehicles, consisting of the towing vehicle and its total towed load, is capable of complying with the performance requirements of Section 46-562.

2. Any vehicle being towed in driveway or towaway operations, provided the combination of vehicles is capable of complying with the performance requirements of Section 46-562.

3. Trucks and truck-tractors having three or more axles need not have brakes on the front wheels, except that when such vehicles are equipped with at least two steerable axles, the wheels of one steerable axle need not have brakes. However, such trucks and truck-tractors must be capable of complying with the performance requirements of Section 46-562.

4. Special mobile equipment.

5. The wheel of a sidecar attached to a motorcycle or to a motor-driven cycle, or the front wheel of a motor-driven cycle need not be equipped with brakes, provided that such motorcycle or motor-driven cycle is capable of complying with the performance requirements of Section 46-562.

(d) Every trailer, semitrailer and pole trailer, equipped with air or vacuum actuated brakes and every trailer, semitrailer and pole trailer, with a gross weight in excess of three thousand pounds, shall be equipped with brakes acting on all wheels and of such character as to be applied automatically and promptly, and remain applied for at least fifteen minutes, upon breakaway from the towing vehicle.

(e) Every motor vehicle, manufactured or assembled after July 1, 1964 and used to tow a trailer, semitrailer or pole trailer equipped with brakes, shall be equipped with means for providing that in case of breakaway of the towed vehicle, the towing vehicle will be capable of being stopped by the use of its service brakes.

(f) Air brakes systems, installed on trailers manufactured or assembled after July 1, 1964, shall be so designed that the supply reservoir used to provide air for the brakes shall be safeguarded against backflow of air from the reservoir through the supply line.

(g) 1. Every towing vehicle, manufactured or assembled after July 1, 1964, when used to tow another vehicle equipped with air controlled brakes, in other than driveway or towaway operations, shall be equipped with two means for emergency application of the trailer

brakes. One of these means shall apply the brakes automatically in the event of a reduction of the towing vehicle air supply to a fixed pressure which shall be not lower than twenty pounds per square inch nor higher than forty-five pounds per square inch. The other means shall be a manually controlled device for applying and releasing the brakes, readily operable by a person seated in the driving seat, and its emergency position or method of operation shall be clearly indicated. In no instance may the manual means be so arranged as to permit its use to prevent operation of the automatic means. The automatic and the manual means required by this section may be, but are not required to be, separate.

2. Every towing vehicle, manufactured or assembled after July 1, 1964, used to tow other vehicles equipped with vacuum brakes, in operations other than driveaway or towaway operations, shall have, in addition to the single control device required by item (h), a second control device which can be used to operate the brakes on towed vehicles in emergencies. The second control shall be independent of brake air, hydraulic and other pressure, and independent of other controls, unless the braking system be so arranged that failure of the pressure upon which the second control depends will cause the towed vehicle brakes to be applied automatically. The second control is not required to provide modulated braking.

(h) Every motor vehicle, trailer, semitrailer and pole trailer, manufactured or assembled after July 1, 1964, and every combination of such vehicles, except motorcycles and motor-driven cycles equipped with brakes, shall have the braking system so arranged that one control device can be used to operate all service brakes. Trailers, equipped with special automatic braking systems actuated by forward pressure on the towing hitch when the towing vehicle is braked, shall be considered as satisfying this requirement, provided the performance capabilities of the trailer brake system meet the requirements of Section 46-562. This requirement does not prohibit vehicles from being equipped with an additional control device to be used to operate brakes on the towed vehicles. This regulation does not apply to driveaway or towaway operations unless the brakes on the individual vehicles are designed to be operated by a single control on the towing vehicle.

(i) 1. Every bus, truck or truck-tractor with air operated brakes shall be equipped with at least one reservoir sufficient to insure that, when fully charged to the maximum pressure as regulated by the air compressor governor cut-out setting, a full service brake application

may be made without lowering such reservoir pressure by more than twenty per cent. Each reservoir shall be provided with means for readily draining accumulated oil or water.

2. Every truck with three or more axles equipped with vacuum assistor type brakes, manufactured or assembled after July 1, 1964, and every truck-tractor and truck, manufactured or assembled after July 1, 1964, used for towing a vehicle equipped with vacuum brakes, shall be equipped with a reserve capacity or a vacuum reservoir sufficient to insure that, with the reserve capacity or reservoir fully charged and with the engine stopped, a full service brake application may be made without depleting the vacuum supply by more than forty per cent.

3. All motor vehicles, trailers, semitrailers and pole trailers, when equipped with air or vacuum reservoirs or reserve capacity as required by this section, shall have such reservoirs or reserve capacity so safeguarded by a check valve or equivalent device that in the event of failure or leakage in its connection to the source of compressed air or vacuum, the stored air or vacuum shall not be depleted by the leak or failure.

(j) 1. Every bus, truck or truck-tractor, using compressed air for the operation of its own brakes or the brakes on any towed vehicle, shall be provided with a warning signal, other than a pressure gauge, readily audible or visible to the driver, which will operate at any time the air reservoir pressure of the vehicle is below fifty per cent of the air compressor governor cut-out pressure. In addition, each such vehicle shall be equipped with a pressure gauge visible to the driver, which indicates in pounds per square inch the pressure available for braking.

2. Every motor vehicle, manufactured or assembled after July 1, 1964, and used for towing a vehicle equipped with vacuum operated brakes and every truck, manufactured or assembled after July 1, 1964, with three or more axles using vacuum in the operation of its brakes, except those in driveaway or towaway operations, shall be equipped with a warning signal, other than a gauge indicating vacuum, readily audible or visible to the driver, which will operate at any time the vacuum in the vehicle's supply reservoir or reserve capacity is less than eight inches of mercury.

3. When a vehicle required to be equipped with a warning device is equipped with both air and vacuum power for the operation of its own brakes or the brakes on a towed vehicle, the warning devices

may be, but are not required to be, combined into a single device which will serve both purposes. A gauge indicating pressure or vacuum shall not be deemed to be an adequate means of satisfying this requirement."

SECTION 2. Section 46-562 amended—performance ability of brakes.—Section 46-562 of the 1962 Code is amended to read as follows:

"Section 46-562. Every motor vehicle and combination of vehicles, at all times and under all conditions of loading, upon application of the service brake, shall be capable of:

(a) Developing a braking force that is not less than the percentage of its gross weight tabulated herein for its classification,

(b) Decelerating to a stop from not more than twenty miles per hour at not less than the feet per second per second tabulated herein for its classification, and

(c) Stopping from a speed of twenty miles per hour in not more than the distance tabulated herein for its classification, such distance to be measured from the point at which movement of the service brake pedal or controls begins.

Tests for deceleration and stopping distance shall be made on a substantially level (not to exceed plus or minus one per cent grade), dry, smooth, hard surface that is free from loose material.

<i>Classification of Vehicles</i>	<i>Braking force as a percent- age of gross vehicle or combination weight</i>	<i>Deceleration in feet per second per second</i>	<i>Brake System application and braking distance in feet from an initial speed of 20 m.p.h.</i>
A. Passenger vehicles with a seating capacity of ten people or less including driver, not having a manufacturer's gross vehicle weight rating	52.8%	17	25
B-1. All motorcycles and motor-driven cycles	43.5%	14	30
B-2. Single unit vehicles with a manufacturer's gross vehicle weight rating of 10,000 pounds or less	43.5%	14	30

<i>Classification of Vehicles</i>	<i>Braking force as a percent- age of gross vehicle or combination weight</i>	<i>Deceleration in feet per second per second</i>	<i>Brake System application and braking distance in feet from an initial speed of 20 m.p.h.</i>
C-1. Single unit vehicles with a manufacturer's gross weight rating of more than 10,000 pounds	43.5%	14	40
C-2. Combination of a two-axle towing vehicle and a trailer with a gross trailer weight of 3,000 pounds or less	43.5%	14	40
C-3. Buses, regardless of the number of axles, not having a manufacturer's gross weight rating	43.5%	14	40
C-4. All combinations of vehicles in driveaway-towaway operations	43.5%	14	40
D All other vehicles and combinations of vehicles	43.5%	14	50"

SECTION 3. Section 46-563 amended—maintenance of brakes.

—Section 46-563 of the 1962 Code is amended to read as follows:

"Section 46-563. All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle."

SECTION 4. Section 46-564 amended—Highway Department may inspect brakes and revoke registrations.—Section 46-564 of the 1962 Code is amended to read as follows:

"Section 46-564. (a) The Highway Department is authorized to require an inspection of the braking system on any motor-driven cycle and to disapprove any such braking system on a vehicle which it finds will not comply with the performance ability standard set forth in Section 46-562, or which in its opinion is equipped with a braking system that is not so designed or constructed as to insure reasonable and reliable performance in actual use.

(b) The Highway Department may refuse to register or may suspend or revoke the registration of any vehicle referred to in this section when it determines that the braking system thereon does not comply with the provisions of this section.

(c) No person shall operate on any highway any vehicle referred to in this section in the event the Highway Department has disapproved the braking system upon such vehicle."

SECTION 5. Section 46-565 amended—hydraulic brake fluid—regulation of.—Section 46-565 of the 1962 Code is amended to read as follows:

"Section 46-565. (a) The term 'hydraulic brake fluid' as used in this section shall mean the liquid medium through which force is transmitted to the brakes in the hydraulic brake system of a vehicle.

(b) Hydraulic brake fluid shall be distributed and serviced with due regard for the safety of the occupants of the vehicle and the public.

(c) No hydraulic brake fluid for use in motor vehicles shall be shipped into this State for sale in this State if such brake fluid shall be below the minimum standard of the then current specifications established by the Society of Automotive Engineers for heavy duty brake fluid.

(d) No person shall distribute, have for sale, offer for sale, or sell any hydraulic brake fluid unless it complies with the requirements of this section. No person shall service any vehicle with brake fluid unless it complies with the requirements of this section.

(e) Every container in which hydraulic brake fluid is sold in this State shall carry a manufacturer's or packer's label clearly stating that the fluid in the container meets or exceeds the SAE specifications for heavy duty brake fluid and giving the then current SAE identification number for the specifications which are met or exceeded."

SECTION 6. Section 46-566 amended—not to apply to certain trailers.—Section 46-566 of the 1962 Code is amended to read as follows:

"Section 46-566. This subdivision of this article shall not apply to trailers, not exceeding eight thousand pounds gross weight, which are pulled behind farm tractors or trucks and used in the transportation of farm products and articles to and from farms. Trailers so pulled shall not exceed a speed greater than twenty miles per hour."

SECTION 7. Sections 46-567 through 46-570 and 66-521 through 66-523 repealed.—Sections 46-567 through 46-570 and 66-521 through 66-523 of the 1962 Code are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1964.

(R1040, H2540)

No. 907

An Act To Amend Section 30 Of Act No. 776 Of 1962, Relating To The Appeals From The County Court Of Charleston County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 30 of Act 776 of 1962 amended—appeals.
—Section 30 of Act No. 776 of 1962 is amended by striking beginning on line 6 the words “involved is less than one thousand dollars” and by inserting in lieu thereof the following: “of the verdict or judgment appealed from is three thousand dollars or less” and by adding at the end thereof: “*Provided*, any such civil action, in which a notice of appeal to the Supreme Court has been filed and where the brief of the respondent has not been filed, may be transferred to the Circuit Court upon written notice to the respondent from the appellant.” When amended the section shall read as follows:

“Section 30. In all civil actions and criminal proceedings and any special proceedings of which the County Court shall have jurisdiction, the right of appeal shall be to the Supreme Court in the same manner and pursuant to the same rules, practices and procedure as now govern appeals from Circuit Courts, except that civil matters where the amount of the verdict or judgment appealed from is three thousand dollars or less may be appealed to the Circuit Court. *Provided*, any such civil action, in which a notice of appeal to the Supreme Court has been filed and where the brief of the respondent has not been filed, may be transferred to the Circuit Court upon written notice to the respondent from the appellant.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1964.

(R1041, H2543)

No. 908

An Act To Provide For A Referendum As To The Creation Of The New Prospect Area Fire District In Spartanburg County And To Provide For Its Creation In The Event Of A Favorable Vote; To Provide For A Board Of Fire Control For The District; To Prescribe The Powers, Duties And Membership Of The Board; To Provide For Tax Levies; And To Provide Penalties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Referendum concerning creation of New Prospect Area Fire District.—The Spartanburg County Commissioners of Election shall conduct a referendum on the second Tuesday in June, 1964, to ascertain the wishes of the qualified electors residing within the proposed New Prospect Area Fire District on the question of whether or not they favor the establishment of a rural fire district and favor the necessary tax levy.

The commissioners of election shall publish the information relating to the referendum once a week for two consecutive weeks in a newspaper having general circulation in the area.

SECTION 2. Conduct of election.—The commissioners of election shall have printed a sufficient number of ballots and have them distributed at the voting places. The ballots shall read as follows:

“Do you favor establishing and operating a rural fire department in the New Prospect area and the necessary tax levy?

In favor of ☐

Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to’.”

Only those person otherwise qualified and owning taxable property within the area shall be entitled to vote. The officials responsible for canvassing the results of the election shall, within ten days, certify such results to the clerk of court of the county and to the Secretary of State.

SECTION 3. New Prospect Area Fire District created if election favorable.—If a majority of those voting in the election vote in favor of the creation of the fire district, there is hereby established

the New Prospect Area Fire District in Spartanburg County encompassed within the lines as shown on a plat recorded in the R.M.C. office of Spartanburg County in plat book 47, at page 461.

SECTION 4. Board of fire control established.—After the creation of the New Prospect Area Fire District, there is established a board of fire control for the district to be composed of five members who shall be appointed by the Governor upon the recommendation of a majority of the Spartanburg County Legislative Delegation. *Provided*, that of those first appointed one member shall serve for a term of one year, two members shall serve for terms of four years and two members shall serve for terms of six years or until their successors are appointed and qualify. The members of the board shall serve without pay and shall file annually a report with the Spartanburg County Board of Control not later than the first of November of each year, showing all activities and disbursements made by the board during the year.

If at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose of electing a member to the board to succeed the member whose term will expire during such year, for a six-year term. Thereafter, members shall be elected in each succeeding general election for terms of six years.

SECTION 5. Duties.—The board shall have the following duties and responsibilities:

(a) To buy such fire fighting equipment as the board deems necessary for the purpose of controlling fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the area where the fire fighting equipment shall be kept.

(c) To provide and select the drivers and other volunteer firemen to man such equipment who shall serve without compensation.

(d) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of the area.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(g) To construct, if necessary, buildings to house the equipment authorized herein.

(h) To borrow not exceeding twenty-five thousand dollars on such terms and for such a period as to the fire control board may seem most beneficial for the fire district in anticipation of taxes. The indebtedness shall be evidenced by a note issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the New Prospect Area Fire District is hereby irrevocably pledged for the payment of the indebtedness.

SECTION 6. Tax levy.—The Auditor and Treasurer of Spartanburg County are hereby directed to levy and collect a tax of not more than four mills, to be determined by the board of fire control, upon all the taxable property of the district for the purpose of defraying the expenses incurred by the board. All monies collected from this levy shall be credited to the fire district.

SECTION 7. Supervision of equipment.—The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

SECTION 8. Enforcement of fire laws.—All members of the truck company of the district may direct and control traffic at the scene of any fire in the area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 9. Unlawful acts—penalties.—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire department in the district, and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment not exceeding thirty days.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1964.

(R1043, H2572)

No. 909

An Act To Amend Section 65-1620.1 Of The 1962 Code, Relating To Returns Of Subdivided Property In Greenville County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1620.1 amended—returns of subdivided property in Greenville County.—Section 65-1620.1 of the 1962 Code is amended by adding at the end thereof the following: “*Provided*, however, that if a period of ten years or more elapses during which no lot shown on the plat has been sold, the owner may thereafter return the property as acreage and not as lots.” The section when amended shall read as follows:

“Section 65-1620.1. In Greenville County when real property is subdivided for the purpose of sale and is sold or offered for sale and a plat of such property has been recorded in the office of the register of mesne conveyances, such property shall thereafter be returned in the auditor’s office as lots rather than acreage. *Provided*, however, that if a period of ten years or more elapses during which no lot shown on the plat has been sold, the owner may thereafter return the property as acreage and not as lots.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1964.

(R1044, S432)

No. 910

An Act To Amend Sections 37-172, 37-175.1, 37-175.2 And 37-175.3 Of The 1962 Code, Relating To A Standard Nonforfeiture Law To Govern Life Insurance Companies, So As To Require Life Insurance Policies To Include Provisions Governing Cash Surrender Value, Provide For Additional Benefits For Term Insurance Under Certain Conditions And Make Further Provisions For Calculating Adjusted Premiums And Present Values.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (6) of Sec. 37-172 amended—statement concerning cash surrender values and paid-up nonforfeiture bene-

fits.—Item 6 of Section 37-172 of the 1962 Code is amended to read as follows:

“(6) A statement that the cash surrender values and the paid-up nonforfeiture benefits available under the policy are not less than the minimum values and benefits required by or pursuant to the insurance law of the state in which the policy is delivered; and explanation of the manner in which the cash surrender values and the paid-up nonforfeiture benefits are altered by the existence of any paid-up additions credited to the policy or any indebtedness to the company on the policy; if a detailed statement of the method of computation of the values and benefits available under the policy on any policy anniversary is not stated therein, a statement that such method of computation has been filed with the Insurance Supervisory Official of the State in which the policy is delivered.

Any of the foregoing provisions or portions thereof not applicable by reason of the plan of insurance may, to the extent inapplicable, be omitted from the policy.

The company shall reserve the right to defer the payment of any cash surrender value for a period of six months after demand therefor with surrender of the policy.”

SECTION 2. Section 37-175.1 amended—additional benefits and premiums therefor to be disregarded.—Section 37-175.1 of the 1962 Code is amended to read as follows:

“Section 37-175.1. Notwithstanding the provisions of Section 37-173, additional benefits payable (a) in the event of death or dismemberment by accident or accidental means, (b) in the event of total and permanent disability, (c) as reversionary annuity or deferred reversionary annuity benefits, (d) as term insurance benefits provided by a rider or supplemental policy provision to which, if issued as a separate policy, this article would not apply, (e) as term insurance on the life of a child or on the lives of children provided in a policy, on the life of a parent of the child, if such term insurance expires before the child’s age is twenty-six, is uniform in amount after the child’s age is one, and has not become paid-up by reason of the death of a parent of the child, and (f) as other policy benefits additional to life insurance and endowment benefits, and premiums for all such additional benefits, shall be disregarded in ascertaining cash surrender values and nonforfeiture benefits required by this article, and no such additional benefits shall be required to be included in any paid-up nonforfeiture benefits.”

SECTION 3. Section 37-175.2 amended—calculation of adjusted premiums and present values.—Section 37-175.2 of the 1962 Code is amended to read as follows:

“Section 37-175.2. Except as provided in the third paragraph of this section the adjusted premiums for any policy shall be calculated on an annual basis and shall be such uniform percentage of the respective premiums specified in the policy for each policy year, excluding any extra premiums charged because of impairments or special hazards, that the present value, at the date of issue of the policy, of all such adjusted premiums shall be equal to the sum of (a) the then present value of the future guaranteed benefits provided for by the policy, (b) two per cent of the amount of insurance, if the insurance be uniform in amount, or of the equivalent uniform amount as defined in this section if the amount of insurance varies with duration of the policy, (c) forty per cent of the adjusted premium for the first policy year and (d) twenty-five per cent of either the adjusted premium for the first policy year or the adjusted premium for a whole life policy of the same uniform or equivalent uniform amount with uniform premiums for the whole of life issued at the same age for the same amount of insurance, whichever is less; *provided*, however, that in applying the percentages specified in items (c) and (d) above no adjusted premium shall be deemed to exceed four per cent of the amount of insurance or uniform amount equivalent thereto. The date of issue of a policy for the purpose of this section shall be the date as of which the rated age of the insured is determined.

In the case of a policy providing an amount of insurance varying with duration of the policy, the equivalent uniform amount thereof for the purpose of this section shall be deemed to be the uniform amount of insurance provided by an otherwise similar policy, containing the same endowment benefit or benefits, if any, issued at the same age and for the same term, the amount of which does not vary with duration and the benefits under which have the same present value at the date of issue as the benefits under the policy; *provided*, however, that in the case of a policy providing a varying amount of insurance issued on the life of a child under age ten, the equivalent uniform amount may be computed as though the amount of insurance provided by the policy prior to the attainment of age ten were the amount provided by such policy at age ten.

The adjusted premiums for any policy providing term insurance benefits by rider or supplemental policy provision shall be equal to (i) the adjusted premiums for an otherwise similar policy issued at the same age without such term insurance benefits, increased, during the period for which premiums for such term insurance benefits are payable, by (ii) the adjusted premiums for such term insurance, the foregoing items (i) and (ii) being calculated separately and as specified in the first two paragraphs of this section except that, for the purposes of (b), (c) and (d) of the first such paragraph, the amount of insurance or equivalent uniform amount of insurance used in the calculation of the adjusted premiums referred to in (ii) shall be equal to the excess of the corresponding amount determined for the entire policy over the amount used in the calculation of the adjusted premiums in (i)."

SECTION 4. Section 37-175.3 amended—calculation of adjusted premiums and present values for industrial policies.—Section 37-175.3 of the 1962 Code is amended to read as follows:

"Section 37-175.3. All adjusted premiums and present values referred to in this article shall, for policies of industrial insurance issued prior to January 1, 1968, be calculated on the basis of either the 1941 Standard Industrial Mortality Table, or the Commissioners 1961 Standard Industrial Mortality Table as may be elected by the company and approved by the Chief Insurance Commissioner; *provided*, that any such adjusted premiums and present values for all policies of industrial insurance issued on or after January 1, 1968, shall be calculated on the basis of the latter table. All calculations shall be made on the basis of the rate of interest, not exceeding three and one-half per cent per annum, specified in the policy for calculating cash surrender values and paid-up nonforfeiture benefits. However, in calculating the present value of any paid-up term insurance with the accompanying pure endowment, if any, offered as a nonforfeiture benefit, the rates of mortality assumed may be not more than one hundred and thirty per cent of the rates of mortality according to the 1941 Standard Industrial Mortality Table, if this table is used for calculating adjusted premiums and present values, or more than those shown in the Commissioners 1961 Industrial Extended Term Insurance Table, if the Commissioners 1961 Standard Industrial Mortality Table is used for calculating adjusted premiums and present values. For insurance issued on a substandard basis, the calculation of any such adjusted premiums and present values may be based on such

other table of mortality as may be specified by the company and approved by the Chief Insurance Commissioner.”
ernor.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1046, S734)

No. 911

An Act To Amend Sections 28-4 And 28-332 Of The 1962 Code, Relating To Classifications Of Certain Fish And Game And The Season For Taking Exotic Game Birds, So As To Classify The Ruffed Grouse As A Domestic Game Bird And To Provide The Season For Taking Ruffed Grouse.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-4 amended—classification of birds, animals and fish.—Item (1) of Section 28-4 of the 1962 Code is amended by adding between “(quail)” and “and” the following: “, ruffed grouse”. The section when amended shall read as follows:

“Section 28-4. For the purpose of this Title the following classifications shall be recognized:

(1) *Domestic game birds.*—Blackbirds, doves, partridge (quail), ruffed grouse and wild turkeys;

(2) *Destructive birds.*—Eagles, buzzards, crows, Cooper’s hawks, duck hawks, English sparrows, great horned owls, jaybirds, loggerheads, sharp-shinned hawks and English starlings;

(3) *Nongame birds.*—All domestic birds not named in items (1) and (2) of this section are nongame birds and shall not be destroyed in any manner at any time;

(4) *Game animals.*—Deer, fox, mink, muskrats, opossums, otter, rabbits, raccoons, skunks and squirrels; and

(5) *Game fish.*—Jackfish or pickerel, pike, black bass or pond trout, striped bass or rockfish, warmouth, red-belly bream, copper-faced or bald-faced bream, yellow-belly perch, sun perch, redfin trout, flyer, crappie, rock bass, goggle eye, white bass and white perch.”

SECTION 2. Section 28-332 amended—hunting season for exotic game birds.—Section 28-332 of the 1962 Code is amended by adding at the end thereof the following: "The provisions of this section shall also be applicable to ruffed grouse." The section when amended shall read as follows:

"Section 28-332. All species of game birds for which the legislature has not provided a specific open season shall be protected and shall not be shot, trapped, destroyed or attempted to be shot, trapped or destroyed at any time. But the Director of the Division of Game may, at his discretion, prescribe an open season for the taking of such exotic game birds, prescribe the method by which they may be taken, fix the specific areas of any zone in which these exotic species may become numerous enough to be harvested. All areas not specifically open to hunting shall be closed to hunting. He may designate the sex that may be taken and may prescribe any other regulations that may be deemed wise and expedient for the harvest of these new game birds. Any person taking, attempting to take, or having in his possession these exotic game birds illegally or taking, attempting to take or killing these exotic game birds in any way not prescribed by the Director shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than fifty dollars nor more than one hundred dollars or imprisoned for not less than fifteen days nor more than thirty days. The provisions of this section shall also be applicable to ruffed grouse."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1047, S750)

No. 912

An Act To Make Unlawful In Game Zone No. 1, Except In The Counties Of Greenville And Pickens, The Possession Of Shotgun Ammunition Loaded With Buckshot Or Rifle Larger Than Twenty-Two Caliber During The Time When The Hunting Of Deer And Bear Is Out Of Season, And To Further Provide For The Protection Of Game In Game Zone No. 1.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to use certain ammunition in Game Zone 1.—In Game Zone No. 1 it shall be unlawful, except during the season when the hunting of deer and bear is lawful, for any person engaged in the hunting of any game whatsoever, to have in his possession any ammunition loaded with buckshot or larger shot, or while so engaged to have in his possession a rifle, the caliber of which is greater than a caliber twenty-two, or any rifle ammunition of a greater caliber than caliber twenty-two.

SECTION 2. Unlawful to allow dogs to hunt deer out of season.—It shall be unlawful for the owner of any dog trained for the hunting of deer to permit his dog to engage in the hunting of deer out of the season when deer hunting is lawful.

SECTION 3. Not applicable to Greenville and Pickens Counties.—The provisions of this act shall not apply to the Counties of Greenville and Pickens.

SECTION 4. Penalties.—Any person convicted of violating the provisions of this act shall be imprisoned for not more than thirty days or fined not more than one hundred dollars.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1048, S495)

No. 913

An Act To Amend Sections 56-511 And 56-514 Of The 1962 Code, Relating To The State Board Of Dental Examiners, So As To Change The Method Of Nominating Appointees And To Provide That The Secretary-Treasurer Of The Board Does Not Have To Be A Member Of The Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 56-511 amended—State Board of Dental Examiners—qualifications—appointments—nominations and elections—vacancies.—Section 56-511 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 56-511. (a) The State Board of Dental Examiners shall be composed of five regularly licensed, registered and practicing

dentists. No dentist shall be eligible for appointment who is connected in any way or interested in any commercial company or establishment selling dental supplies, equipment or appurtenances or connected in any way with any school of dentistry. On the first day of January of each year, or as soon thereafter as practicable, the Governor shall appoint a member of the board to fill the then accrued vacancy, who shall serve for a term of five years from such first day of January and until his successor is appointed and qualified. All appointments to the board shall be made upon the recommendation of the State Board of Dental Examiners in its capacity as the Board of Dental Elections. The Board of Dental Elections at its regular annual meeting shall certify in writing to the Governor the name of the person winning the election and the name of the person the nominee replaces on the Board of Dental Examiners.

(b) Nominations and elections shall be conducted in the following manner:

(1) The nominations and elections shall be conducted by the Board of Dental Examiners, which is hereby constituted a Board of Dental Elections, for this purpose.

(2) An election shall be held each year to elect one member to the Board of Dental Examiners to take office the following January first and to hold office for a term of five years and until his successor has been elected, appointed and qualified.

(3) Every dentist with a current South Carolina license, residing in South Carolina, shall be eligible to vote in all elections. The holding of such a license shall constitute registration to vote, and the list of licensed dentists shall constitute the registration list for elections.

(4) Nominations of candidates for election shall be made to the Board of Dental Elections by a written petition signed by not less than fifteen dentists qualified to vote in the election.

(5) Any person who is nominated as provided in item (4) above may withdraw his name by written notice delivered to the Board of Dental Elections or its designated secretary at any time prior to the closing of the polls in any election.

(6) Following the close of nominations, there shall be prepared under and in accordance with such rules and regulations as the Board of Dental Elections shall prescribe, ballots containing in alphabetical order, the names of all nominees; and each ballot shall have such method of identification, and such instructions and re-

quirements printed thereon, as shall be prescribed by the Board of Dental Elections. At such time as may be fixed by the Board of Dental Elections, a ballot and a return official envelope addressed to the board shall be mailed to each dentist authorized to vote in the election, with a notice designating the latest day and hour for return mailing and other information the board may see fit to include. The envelope shall bear a serial number and shall have printed on the left portion of its face the following:

Serial No. of Envelope

Signature of voter

Address of voter

The enclosed ballot is not valid unless the signature of the voter is on this envelope.

(7) The ballots shall be canvassed by the Board of Dental Elections on the date and time announced by the board in the notice accompanying the sending out of the ballots. The counting of ballots shall be done publicly and any authorized voter may be present. The envelopes shall be displayed to the persons present and opportunity given to challenge the qualification of any voter. After opportunity has been given to challenge, the envelopes shall be opened in a manner so as not to show the marking on the ballot. Thereafter each ballot shall be presented for counting and if not challenged shall be counted. No ballot shall be rejected for technical error if the intent of the voter is clear. The board may make a decision on challenged ballots immediately or may put aside these ballots and make a decision on them after the remaining ballots have been counted.

(8) The nominee receiving the most votes shall be declared elected. In the event of a tie vote the board shall order a second election to determine the winner.

(9) In case of the death or withdrawal of a candidate prior to the closing of the polls, he shall be eliminated from the contest and any votes cast for him shall be disregarded. If at any time there shall be only one nominee for a position, he shall be declared elected by the Board of Dental Elections.

(10) An official list of licensed dentists shall be kept at the office of the Board of Dental Elections and available to any person at all times. During any election this list shall be posted in such office, and marked to show each voter that has returned his ballot. All envelopes enclosing ballots and all ballots shall be held by the board for a period of six months following any election.

(11) The Board of Dental Elections is authorized to make rules and regulations relative to the conduct of these elections, which shall be distributed to all eligible voters.

(c) In the event of a vacancy caused by death, resignation or otherwise on the Board of Dental Examiners, the Board of Dental Elections may fill the vacancy by certifying to the Governor a name qualified to serve and the Governor shall appoint him for a term expiring on the first day of January following the next dental election. The Board of Elections shall provide for the election of a member at the next regular annual election to serve the unexpired term of the member creating the vacancy. No member of the Board of Dental Examiners shall be eligible to succeed himself, except a member serving out the balance of an unexpired term that doesn't exceed four years. If a member of the Board of Dental Elections is nominated to succeed himself, and does not withdraw his name, he shall be disqualified to serve as a member of the Board of Dental Elections for that election and the remaining members of the board shall proceed and function without his participation."

SECTION 2. Section 56-514 amended — meetings — officers —minutes.—Section 56-514 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 56-514. The State Board of Dental Examiners shall hold at least one regular annual meeting, which shall be held between the fifteenth day of May and the fifteenth day of July of each year. At such annual meeting the board shall elect a president, a vice-president from its membership and a secretary-treasurer who shall not be required to be a member of the board. The terms of such officers shall be for one year and until their successors are elected or appointed. Special meetings of the board may be called by the president or any three members of the board, at any time, upon giving five days' written notice to the members thereof. Written notice may be waived by the members. A majority of the board shall constitute a quorum for the transaction of all business coming before the board and all the proceedings of the board shall be recorded in a permanently-bound minute book."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1049, S662)

No. 914

An Act To Authorize The Clerk Of Court For Richland County To Remove From The Index Records Required By Sections 65-2723, 65-2724, 65-2731 And 65-2733 Of The 1962 Code, Notice Of Federal And State Tax Liens Which Have Been Discharged.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Clerk of Court of Richland County may remove certain records.—The Clerk of Court for Richland County is authorized to remove from the index records required by Sections 65-2723, 65-2724, 65-2731 and 65-2733 of the 1962 Code, notice of Federal and State tax liens which have been discharged.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1050, S666)

No. 915

An Act To Amend Section 28-961 Of The 1962 Code, Relating To Disposition Of Revenues From Fisheries And From The Operation And Enforcement Of The Coastal Fisheries Laws, So As To Further Provide For The Issuance Of Licenses And Receipts Of Collections.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-961 amended—disposition of revenues from fisheries and enforcement of Coastal Fisheries Laws—rules and regulations.—Section 28-961 of the 1962 Code is amended by striking on line eleven “or sums” and on line thirteen “aforesaid” and by inserting after the word “treasurers” on line eighteen “or other persons” so that, when so amended, the section shall read as follows :

“Section 28-961. All revenues from taxes, licenses, fines and forfeitures, rentals or other sources derived from the fisheries or from the operation and enforcement of the Coastal Fisheries Laws shall be deposited with the State Treasurer.

The clerks of courts of general sessions shall promptly, after the end of the court session, forward to the Division of Commercial

Fisheries at Charleston such fines and forfeitures resulting from violations of the Coastal Fisheries Laws. Such remittances shall be made payable to the State Treasurer. All magistrates shall, upon receiving fines or forfeitures resulting from violation of the Coastal Fisheries Laws forward to the Division of Commercial Fisheries at Charleston the sum received, and the check shall be made payable to the State Treasurer.

The remittances shall be accompanied by a statement showing the name and address of the person fined or from whom the forfeiture was collected.

The Commission may, as provided by Section 28-174, promulgate rules and regulations concerning the establishment in the coastal counties, or any of them, of arrangements with the county treasurers or other persons for the issuance of licenses and receipts of collections and remittances of money for fines similar to and upon the terms now existing."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1051, S751)

No. 916

An Act To Authorize The State Highway Department And The South Carolina Wildlife Resources Department To Enter Into Agreements For The Construction Of Roads And Recreation Facilities In Certain Counties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Highway Department and Wildlife Resources Department may construct roads and recreational facilities in counties.—The State Highway Department and the South Carolina Wildlife Resources Department are authorized to enter into cooperative agreements for the construction of access roads and recreation facilities in any county in the State.

The agreements may provide for the State Highway Department to prepare the necessary plans; provide construction engineering and inspection; and award the necessary construction contracts, subject to the written approval of the South Carolina Wildlife Resources

Department. All such contracts shall provide for payments for work performed to be made by the South Carolina Wildlife Resources Department from its funds. Upon completion of the construction work, the State Highway Department shall reimburse the South Carolina Wildlife Resources Department out of Farm-to-Market Construction Funds apportioned to the county in which the work is performed not exceeding the actual cost of constructing any such secondary roads or one-half the total cost of the project provided for in the cooperative agreement, whichever is lesser. The State Highway Department shall pay from its Farm-to-Market Construction Funds apportioned to such county the cost of engineering and inspection. The roads shall become a part of the State Highway Secondary System upon their completion.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1052, S769)

No. 917

An Act To Permit The Board Of Education Of Colleton County To Sell Surplus School Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Colleton County Board of Education may sell surplus property.—The Colleton County Board of Education is hereby authorized to sell and convey any surplus school property in accordance with the provisions of this act. Prior to the sale of any surplus school property, the board shall cause an appraisal to be made of such property by three qualified appraisers and shall give public notice of the time and place of the sale by having such notice printed once a week for three successive weeks in a local newspaper circulated in the county. Within a period of twenty days from the date of the last notice, the original grantor or his heirs shall have first opportunity to purchase the property. If the grantor or his heirs do not purchase the property, then the board may sell such property to local citizens, groups, associations or eleemosynary and charitable organizations desiring to use the property for a community purpose. If the property is not sold to any citizen or organized group, then the board

may sell such property to the highest bidder, reserving the right to reject any and all bids. In no event shall the property be sold for less than the appraisal value. Deed of conveyance shall be made to the purchaser by the chairman of the board. The proceeds from the sale of any surplus school property shall be turned over to the general school fund and shall be used for school purposes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1053, S785)

No. 918

An Act To Amend Section 14-400.264 Of The 1962 Code, Relating To The Powers And Duties Of The Fairfield County Planning And Development Board, So As To Give The Board Additional Authority.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-400.264 amended—powers and duties of Fairfield County Planning and Development Board.—Section 14-400.264 of the 1962 Code is amended by adding the following paragraph at the end thereof: "The Board shall have authority to purchase, accept title to, lease or otherwise acquire, in the name of the county, lands, buildings, utilities and other related appurtenances, for the promotion of agricultural, commercial and industrial development of the county. The Board shall have the right and authority to enter into contracts in the name of the county which shall promote and develop agriculture, commerce and industry within the county. No purchase, acquisition of title or lease shall be entered into until funds therefor have been made available." The section when amended shall read as follows :

"Section 14-400.264. The Board, in carrying out the purposes of this article, shall have power to employ personnel and enter into contracts and other necessary powers incident to the purposes of this article; *provided*, however, that no contract shall be entered into by the Board for an expenditure of any sum without first having obtained the written approval of a majority of the Fairfield County legislative delegation. The Board shall have authority to purchase,

accept title to, lease or otherwise acquire, in the name of the county, lands, buildings, utilities and other related appurtenances, for the promotion of agricultural, commercial and industrial development of the county. The Board shall have the right and authority to enter into contracts in the name of the county which shall promote and develop agriculture, commerce and industry within the county. No purchase, acquisition of title or lease shall be entered into until funds therefor have been made available."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1055, S685)

No. 919

An Act To Declare The Area Known As The Community Of Belvedere In Richland County To Be A Bird Sanctuary And To Provide A Penalty For Violation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Community of Belvedere to be bird sanctuary.—The area known as the community of Belvedere in Richland County is declared to be a bird sanctuary. It shall be unlawful for anyone to kill or maim any bird within such sanctuary. Anyone violating the provisions of this act shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed twenty dollars or imprisoned for a period not to exceed five days.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1056, S674)

No. 920

An Act To Repeal Sections 61-521 Through 61-526 And Sections 61-528 Through 61-533 Of The 1962 Code, Relating To Certain Teacher Retirement Provisions In Richland County Which Are Now Obsolete.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Repeal.—Sections 61-521 through 61-526 and Sections 61-528 through 61-533 of the 1962 Code are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1061, S684)

No. 921

An Act To Amend Sections 28-475, 28-480, 28-481, 28-481.2, 28-483, 28-4 And 28-10 Of The 1962 Code Relating To The Trapping, Selling And Buying Of Fur-Bearing Animals, So As To Include The Trapping Of Alligators Under The Provisions Thereof; To Add Section 28-479.1 To The 1962 Code So As To Protect Alligators; To Provide For Certain Confiscations, To Require Certain Reports, To Permit Killing Of Alligators Under Certain Conditions, To Provide For Open Seasons Under Certain Conditions And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-475 amended—certain trappers to purchase licenses.—Section 28-475 of the 1962 Code is amended by adding on line two between the words “animals” and “shall” the words “or alligators” so that when so amended the section shall read as follows:

“Section 28-475. Each trapper before engaging in trapping fur-bearing animals or alligators shall be required to purchase a license to do so. The license shall be sold only by the county game warden of the county for the price of ten dollars and shall be good for the calendar year in which issued, and the revenue derived therefrom shall be placed to the credit of the game protection fund.”

SECTION 2. Section 28-480 amended—Sections 28-475 to 28-479 not applicable to Greenville County.—Section 28-480 of the 1962 Code is amended by adding on the first line between the numerals “28-479” and the word “shall” the words “relating to the trapping of fur-bearing animals” so that when so amended the section shall read as follows:

“Section 28-480. The provisions of Sections 28-475 to 28-479 relating to the trapping of fur-bearing animals shall not apply to Greenville County.”

SECTION 3. Section 28-481 amended—purchasers of furs, hides, alligator skins and pelts to obtain licenses.—Section 28-481 of the 1962 Code is amended by adding on line two between the words “hides,” and “except” the words “or alligator skins,” so that when so amended the section shall read as follows:

“Section 28-481. It shall be unlawful for any person to engage in the business of buying furs, hides, or alligator skins, except hides of domestic animals, pelts, or similar articles in this State without first procuring a license to do so from the office of the Director of the Division of Game. Any resident of this State may procure a State license for such purposes upon the payment of an annual license fee of twenty-five dollars, which shall entitle such resident to purchase such articles in all counties in the State. A nonresident engaged in the buying of such articles shall pay an annual license fee of one hundred dollars. Any person engaged in the business of buying such articles shall be required to purchase a separate license for each individual buyer.

It shall be unlawful for any person to borrow, loan or exchange a license.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars, nor more than five hundred dollars, or imprisoned for not less than thirty days nor more than six months.”

SECTION 4. Section 28-481.2 amended—season for trapping fur-bearing animals in certain game zones.—Section 28-481.2 of the 1962 Code is amended by adding on line one between the words “season” and “in” the words “of fur-bearing animals” so that when so amended the section shall read as follows:

“Section 28-481.2. The trapping season of fur-bearing animals in Game Zone No. 1, except Greenville County, Game Zone No. 2, except Laurens County, and Game Zone No. 4 shall be from Thanksgiving day to January thirty-first, except that it shall be unlawful to trap raccoons in Game Zones No. 1 and No. 2.”

SECTION 5. Section 28-483 amended—tags for furs, pelts, skins or hides bought, stored or transported.—Section 28-483 of the 1962 Code is amended by deleting the word “and” at the end of Item

(3), by changing the period at the end of Item (4) to a semicolon and adding the word "and", and by adding a new item as follows: "(5) An alligator hide or skin, one dollar." so that when so amended the section shall read as follows:

"Section 28-483. All persons buying, storing, shipping or transporting furs, pelts, skins or hides shall make application to the game warden, or his authorized deputy for a tag or label, which shall be securely attached to the fur, pelt, skin or hide so bought, stored, shipped or transported. Such tags or labels shall be of such design and in such form as the Director of the Division of Game may prescribe, and the cost of such tags or labels to the person buying, storing, shipping or transporting such furs, pelts, skins or hides shall be according to the following schedules for each tag or label:

- (1) An otter or a red fox hide or skin, one dollar;
- (2) A raccoon, grey fox or mink hide or skin, fifteen cents;
- (3) A skunk hide or skin, ten cents;
- (4) An opossum or muskrat hide or skin, five cents; and
- (5) An alligator hide or skin, one dollar.

The tag shall be purchased in the county in which the furs, pelts, hides or skins are bought, stored, shipped or transported.

The penalty for violation of this section shall be punishment by a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for not less than thirty days nor more than six months, for each and every offense."

SECTION 6. Section 28-4 amended—classification of birds, animals and fish.—Section 28-4 of the 1962 Code is amended by adding between the words "skunks" and "and" on line two of Item (4) the word "; alligators" so that when so amended the section shall read as follows:

"Section 28-4. For the purpose of this Title the following classifications shall be recognized:

(1) *Domestic game birds.*—Blackbirds, doves, partridge (quail) and wild turkeys;

(2) *Destructive birds.*—Eagles, buzzards, crows, Cooper's hawks, duck hawks, English sparrows, great horned owls, jaybirds, loggerheads, sharp-skinned hawks and English starlings;

(3) *Nongame birds.*—All domestic birds not named in items (1) and (2) of this section are nongame birds and shall not be destroyed in any manner at any time;

(4) *Game animals*.—Deer, fox, mink, muskrats, opossums, otter, rabbits, raccoons, skunks, alligators and squirrels; and

(5) *Game fish*.—Jackfish or pickerel, pike, black bass or pond trout, striped bass or rockfish, warmouth, red-belly bream, copper-faced or bald-faced bream, yellow-belly perch, sun perch, redbfin, trout, flyer, crappie, rock bass, goggle eye, white bass and white perch.”

SECTION 7. Section 28-10 amended—unlawful to violate fish and game laws.—Section 28-10 of the 1962 Code is amended by adding on line three between the words “any” and “bird” the word “alligator,” so that when amended the section shall read as follows:

“Section 28-10. It shall be unlawful for anyone to catch, kill, possess or transport, or to attempt to catch, kill, possess or transport any alligator, bird or animal or part thereof, in violation of any of the provisions of the fish and game laws.”

SECTION 8. Section 28-479.1 added—unlawful to take eggs or skins of certain alligators.—Section 28-479.1 is added to the 1962 Code, to read as follows:

“Section 28-479.1. It shall be unlawful for any person to take or possess the eggs of alligators, alligators or their skins under three feet in length.”

SECTION 9. Confiscation of illegal alligators, eggs or skins.—Any alligator eggs, alligators or skins illegally possessed shall be confiscated and may be disposed of as provided by law for the disposition of contraband fish.

SECTION 10. Reports concerning protection of alligators.—The Director of the Division of Game may require such reports as he deems necessary relative to the protection of alligators.

SECTION 11. Permits to kill dangerous alligators.—The Director of the Division of Game may issue permits to kill dangerous alligators.

SECTION 12. Season for catching or killing alligators.—There shall be no open season for the catching or killing of alligators; *provided*, that upon a written petition signed by a majority of the legislative delegations within any game zone, including the Senators, the Director of the Division of Game may declare the season to be open for a period not exceeding thirty days at any one time.

The declaration of an open season shall be advertised at least two consecutive weeks prior to the opening in a newspaper having general circulation within the zone.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1062, S723)

No. 922

An Act To Provide For The Nomination Of Candidates For Offices Of Municipalities; To Make The Provisions Cumulative; And To Amend Section 47-217 Of The 1962 Code, Relating To Appeals To The Courts On Decisions Of The Council Of A Municipality Of Over One Thousand Inhabitants, So As To Provide That Appeals May Be Made Within Ten Days After Notice Of The Decision Of The Council.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Conduct of municipal elections.—Municipal primary, general and special elections in South Carolina shall be conducted pursuant to the South Carolina Election Law, except as otherwise provided in Title 47 of the 1962 Code, as amended, and the provisions of this act if same are adopted and made applicable within the municipality as hereinafter provided.

SECTION 1-A. Not applicable unless municipality elects to be governed by act.—The provisions of this act shall apply in a municipality only if the municipality adopts an ordinance declaring that elections therein shall be duly governed by the provisions hereof.

SECTION 2. Nomination of candidates—costs.—Nomination of candidates for municipal offices may be by political party primary, political party convention or by petition. Municipal party primaries or conventions to make nominations for municipal offices shall be conducted by the municipal party organization of a political party, in accordance with the provisions hereof, the applicable provision of the South Carolina Election Law, *mutatis mutandis*, and the rules of the municipal political party organization not in conflict herewith. All costs of such primary or convention shall be borne by the municipi-

pal party organization making such nominations, unless provision for payment of such costs is made by the municipality. No political party shall make nominations by convention for one or more offices and order primaries for other offices to be filled in the same election, but for any single election the choice of one method of nomination shall be exclusive of the other.

SECTION 3. Conduct of primaries.—The times for holding primaries shall be set by the governing body of the municipality, and, unless otherwise provided by such authority, the first primary shall be held twenty-five days prior to any general or special election to fill municipal offices; the second primary shall be held twenty days prior to such general or special election. Certification of nominees of primaries shall be made at least fifteen days prior to such general or special election. If a third primary shall be necessary, it shall be held fifteen days prior to the general or special election and the time for certification of nominees shall be ten days prior to the special or general election. *Provided*, the governing body of any municipality may provide that primaries be held at greater or lesser intervals than those fixed by this act but the time for certification of nominees shall remain the same.

All party primaries within the same municipality shall be conducted on the same dates.

The time for entry of candidates for nomination in municipal party primaries shall open as determined by the municipal party ordering the primary and shall close at twelve o'clock noon on the twentieth day prior to the first primary if the election be a regular general election and shall close at noon on the tenth day prior to the first primary in the event of a special election to fill a vacancy. The time for the closing of entries may likewise be varied by the governing body of any municipality.

The municipal party shall appoint managers for the primaries. At least three managers shall be appointed for each voting place and a clerk may also be appointed. The municipal party shall furnish the ballots, ballot boxes and all items and materials necessary for the conduct of the election.

Party primary elections to nominate party candidates for municipal offices shall be held under the provisions of Title 23 of the 1962 Code as they may be applicable, *mutatis mutandis*, and the rules promulgated in reference thereto by the municipal party convention, par-

ticular regard being had to Sections 23-371 through 23-387 of the 1962 Code.

Immediately preceding each party primary election, the board of registration in each county shall furnish to the executive committee of each political party proposing to hold a primary one registration book for each polling precinct in the municipality, containing the names of all electors entitled to vote at that precinct.

The results of any primary conducted hereunder shall be declared by the party conducting the election. Protests and contests shall be filed in writing with the municipal party chairman within two days after the day of the declaration of the results of the election and the municipal party executive committee shall determine such protests and contests within five days after the filing thereof. From the decision of the municipal party committee an appeal may be made to the Board of State Canvassers of Municipal Primaries as provided in Section 23-493 of the 1962 Code. Notice and grounds of appeal must be filed in writing with the chairman of the Board of State Canvassers of Municipal Primaries within five days following the date on which the decision of the municipal committee is declared.

Any appeal thereafter shall be to the court of common pleas of the county in which the municipality for which the primary is conducted shall be situate. Notice and grounds of appeal shall be served on the opposing parties or their attorneys within ten days following the decision of the Board of State Canvassers of Municipal Primaries.

SECTION 4. Party conventions.—Municipal party conventions shall be called in accordance with the provisions of this act and pursuant to the duly adopted rules of a political party not in conflict herewith.

Notice of such convention shall be given by legal notice stating the time and place thereof published not less than five days prior to the holding of such convention in a newspaper published within the municipality or in a newspaper of general circulation in the municipality if none be published therein.

Precinct clubs of a political party shall meet at least three days prior to the municipal convention for the purpose of nominating delegates to the convention. Each club shall elect not less than three delegates to the convention; *provided*, that in municipalities containing only three precincts, each club shall elect not less than four delegates; in municipalities containing only two precincts, each club shall elect not less than six delegates; and in municipalities containing only one

precinct, not less than twelve delegates shall be elected. If precincts extend beyond municipal limits, only those members resident within the municipality shall be eligible to participate in club meetings, and if within such overlapping precinct there are twenty-five or less voters resident within the municipality, such precinct shall elect one delegate to the convention.

Municipal political parties may by rule provide for greater representation at such municipal conventions by a plan entitling each precinct to delegates in accordance with the provision for proportional representation for county conventions set forth in Section 23-259 of the 1962 Code, as amended; and, if such party held no primary, representation shall be based on the same proportion in accordance with the number of votes cast for a nominee of such party in the last preceding general election for a municipality, circuit, district or state office or presidential elector, such determination to be made by taking as a basis the least populated area for which the general election was held.

The convention shall organize as party rules may prescribe and shall elect a secretary who shall keep a record of proceedings in a minute book.

No convention shall make nomination for candidates for offices unless the decision to use the convention method is reached by a three-fourths vote of the total membership of such convention. Any convention making nomination of candidates for office shall meet on or before the date and time fixed for closing of primary entries if it meets on such date, and shall adjourn *sine die* at the time so fixed and the party officers shall make the nomination public not later than the time prescribed in this act. Certification of nominees of a municipal party convention shall be made at least fifteen days prior to the date of a general or special election.

SECTION 5. Placing of names on ballot—time for holding elections—election board—costs.—The names of candidates for municipal offices to be voted on in any special or general election shall be placed upon the ballot upon the filing with the municipal election board or with the mayor or intendant, if such board has not been appointed, of a petition nominating such candidates signed by registered electors, not later than the time for the closing of primary entries, as follows: for a municipal office of a municipality having a population of less than five hundred inhabitants, a number of the registered electors thereof equal to not less than ten per cent of the population of such munici-

pality; *provided*, the governing body of such town may prescribe that the name of any qualified elector be placed upon the ballot in any special or general election, upon the written request of any qualified elector, without the necessity of a petition therefor being filed; for an office of a municipality having a population from five hundred to one thousand inhabitants, fifty of the registered electors thereof; for an office of a municipality having a population from one thousand to ten thousand inhabitants, one hundred of the registered electors thereof; for an office of a municipality having a population of ten thousand or more inhabitants, one thousand of the registered electors thereof.

No candidate who may be defeated in a party primary shall be placed on the special or general election ballot by petition or otherwise.

The time for the holding of any special or general municipal election to fill offices shall be set by the governing body of such municipality, any other provision of law to the contrary notwithstanding, and public notice thereof given by the mayor or other officer at least forty-five days before the holding of the election. In towns of less than one thousand population, nomination of candidates may be required to be made by petition alone, in which case public notice shall be given not less than twenty days prior to the holding of the election. The time for certification of nominees shall be as determined by the governing body of the municipality.

Prior to the holding of any general or special election, the mayor or intendant of any incorporated town in this State shall appoint two or more persons who shall constitute the municipal election board of such municipality. In the absence of such appointment, the functions, powers and duties of the board shall devolve upon and be vested in the mayor or intendant. Should the mayor or intendant be a candidate in such election, the duties hereof shall devolve upon the clerk of the municipality.

The municipal election board shall be vested with the functions, powers and duties of municipal supervisors of registration if no such supervisors have been appointed pursuant to Section 23-114 of the 1962 Code, and shall also have the functions, powers and duties of commissioners of election, *mutatis mutandis*, as set forth in Section 23-306 of the 1962 Code and other provisions of the South Carolina Election Law. The municipal election board shall see that proper books of registration are provided for each ward or precinct, shall prepare and distribute ballots and election materials, appoint managers of election for each polling place at each election precinct and,

in general, supervise and conduct all municipal special and general elections. The managers shall certify the results of the election to the board within one day and the board shall declare the result not later than three days following the election.

Nominees in a party primary or party convention and nominees by petition shall be certified to the municipal election board, or, if no such board has been appointed, to the mayor or intendant of the municipality, within the times specified herein and when so certified, the board shall place the names of such nominees upon the ballots.

The provisions of Section 47-215 to 47-218, inclusive, of the 1962 Code, shall be applicable to all general elections conducted hereunder.

All costs of municipal special or general elections shall be borne by the municipality.

SECTION 6. Section 47-217 amended—appeals.—Section 47-217 of the 1962 Code is amended by striking on lines one and five the word “five” and inserting the word “ten”. The section when amended shall read as follows:

“Section 47-217. Within ten days after notice of the decision of the council, any party aggrieved thereby may appeal from such decision to the court of common pleas of the county. The notice of appeal shall be served on the opposing parties or their attorneys and filed in the office of the clerk of court within such ten days. Upon the filing of such notice the clerk of court shall place the appeal on calendar two for a hearing at the next term of court on the record as filed in his office. The notice of appeal shall act as a stay of further proceedings pending the appeal.”

SECTION 7. Act to be in addition to existing laws.—The provisions of this act shall be cumulative to existing statutes regarding municipal elections.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1065, H1957)

No. 923**An Act To Relieve Persons From Certain Civil Liability When Rendering Emergency Care At The Scene Of A Motor Vehicle Accident.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Persons not to be liable for rendering emergency care.—Any person, who in good faith gratuitously renders emergency care at the scene of an accident or emergency to the victim thereof, shall not be liable for any civil damages for any personal injury as a result of any act or omission by such person in rendering the emergency care or as a result of any act or failure to act to provide or arrange for further medical treatment or care for the injured person, except acts or omissions amounting to gross negligence or wilful or wanton misconduct.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1066, H2026)

No. 924**An Act To Amend Section 21-839.2 Of The 1962 Code, Relating To School Bus Routes, So As To Require Local Authorities To Submit Proposed Routes Annually To The State Educational Finance Commission.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-839.2 amended—proposed bus routes and approval of.—Section 21-839.2 of the 1962 Code is amended to read as follows:

“Section 21-839.2. The boards of trustees of each district shall make a thorough study of transportation needs each year, and shall submit proposed route descriptions in accordance with the limitations of Section 21-834 and approved by county school authorities to the State Educational Finance Commission annually. All routes served by state-owned equipment shall be subject to the approval of the commission and the local board of trustees; no such equipment shall be operated except upon routes so approved.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1067, H2162)

No. 925

An Act To Amend Section 55-8.1 Of The 1962 Code, As Created By Act No. 303 Of 1963, Relating To Deductions For Certain Prisoners, So As To Make The Section Applicable To All Prisoners.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 55-8.1 amended—additional deductions for certain prisoners.—Section 55-8.1 of the 1962 Code is amended by adding on line 1 between the word “prisoner” and the word “who” the words “in this state,” by striking out on line 2 the words “in a prison of the Department of Corrections,” and by striking out on lines 7 and 8 the words “by the Department of Corrections.” When so amended Section 55-8.1 shall read as follows:

“Section 55-8.1. Any prisoner in this state who, after July 1, 1963, is assigned to a duty which requires work for seven days a week for a period of six months or more shall be entitled to a deduction from the term of his sentence of one day for each week of such employment. This deduction shall be in addition to any other deduction for good conduct to which this prisoner may be entitled. This additional deduction is given to induce good behavior, extra work without the use of funds for incentive pay.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1068, H2237)

No. 926

An Act To Amend Section 43-51 Of The 1962 Code, Relating To Civil Jurisdiction Of Magistrates, So As To Increase Such Jurisdiction.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 43-51 amended — civil jurisdiction of magistrates.—Section 43-51 of the 1962 Code is amended by striking “one hundred dollars” wherever it appears and by inserting in lieu thereof “two hundred dollars” so that when amended the section shall read as follows:

“Section 43-51. Magistrates shall have civil jurisdiction in the following cases:

(1) In actions arising on contracts for the recovery of money only, if the sum claimed does not exceed two hundred dollars;

(2) In actions for damages for injury to rights pertaining to the person or personal or real property, if the damages claimed do not exceed two hundred dollars;

(3) In actions for a penalty, fine or forfeiture, when the amount claimed or forfeited does not exceed two hundred dollars;

(4) In actions commenced by attachment of property, as provided by statute, if the debt or damages claimed do not exceed two hundred dollars;

(5) In actions upon a bond conditioned for the payment of money, not exceeding two hundred dollars, though the penalty exceeds that sum, the judgment to be given for the sum actually due and when the payments are to be made by installments an action may be brought for each installment as it becomes due;

(6) In actions upon a surety bond taken by them, when the penalty or amount claimed does not exceed two hundred dollars;

(7) In actions upon a judgment rendered in a court of a magistrate or an inferior court when such action is not prohibited by Section 10-1520;

(8) To take and enter judgment on the confession of a defendant in the manner prescribed by law when the amount confessed shall not exceed two hundred dollars;

(9) In actions for damages or for fraud in the sale, purchase or exchange of personal property, if the damages claimed do not exceed two hundred dollars;

(10) In all matters between landlord and tenant and the possession of land as provided in Title 41;

(11) In actions to recover the possession of personal property claimed, the value of which, as stated in the affidavit of the plaintiff, his agent or attorney, shall not exceed the sum of two hundred dollars; and

(12) In cases of bastardy.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1069, H2400)

No. 927

An Act To Amend Sections 14-891, 14-893 And 14-894 Of The 1962 Code, Relating To The Fire Protection Commission Of Anderson County, So As To Stagger The Terms Of The Members; To Increase A Tax Levy; And To Provide For The Appointment Of Unit Chiefs, For Their Terms And For Their Removal And To Provide For The Filling Of Vacancies In The Office Of The Unit Chiefs.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-891 amended—Anderson County Fire Protection Commission created.—Section 14-891 of the 1962 Code is amended by adding at the end of the fourth sentence the following: "Upon the expiration of the terms of the present members of the Commission, two of the five members shall be appointed for two-year terms and three of the members shall be appointed for the regular four-year terms. The five commissioners shall determine by lot which of them shall serve for terms of two years and which shall serve for terms of four years. Their successors shall be appointed for terms of four years." The section when amended shall read as follows:

"Section 14-891. There is hereby created a Commission in Anderson County to bear the name of Anderson County Fire Protection Commission. The Commission shall be composed of five resident electors to be appointed by the Governor on the recommendation of a majority of the county legislative delegation, including the Senator. Any vacancies that occur on the Commission shall be filled in like manner. The commissioners shall reside within or own property in an area to be served by the Anderson County Fire Protection System. The term of office of each commissioner shall be for four years and until his successor shall be appointed and qualifies. Upon the expiration of the terms of the present members of the Commission, two of the five members shall be appointed for two-year terms and three of the members shall be appointed for the regular four-year

terms. The five commissioners shall determine by lot which of them shall serve for terms of two years and which shall serve for terms of four years. Their successors shall be appointed for terms of four years. A Commissioner shall be eligible to succeed himself. The commissioners shall select a chairman and a secretary from among themselves, and the treasurer of Anderson County shall ex officio be the treasurer of the Commission. The commissioners shall serve without pay."

SECTION 2. Section 14-893 amended—powers and duties.—

Section 14-893 of the 1962 Code is amended by striking Item (4) in its entirety and inserting in lieu thereof the following:

"(4) To annually levy a tax not to exceed four mills in the aggregate on all of the taxable property of the county for the development and operation of the fire protection system except that property within the municipal limits of the cities of Anderson, Belton, Honea Path, Williamston, Pelzer and that portion of Piedmont that comprises old School District No. 23; *provided*, that the four mills shall be automatically reduced to two mills at the end of the fourth year of the levy;" so that when amended the section shall read as follows:

"Section 14-893. The Commission is hereby made a body politic and corporate, a governmental agency of the county, and shall have the following duties and powers:

(1) To develop a comprehensive volunteer fire protection system for the county and operate such system;

(2) To acquire property, both real and personal, by purchase or gift or lease or otherwise and to sell, exchange or otherwise dispose of any property that it may have acquired except property acquired from the county;

(3) To enter into contracts;

(4) To annually levy a tax not to exceed four mills in the aggregate on all of the taxable property of the county for the development and operation of the fire protection system except that property within the municipal limits of the cities of Anderson, Belton, Honea Path, Williamston, Pelzer, Iva and that portion of Piedmont that comprises old School District No. 23; *provided*, that the four mills shall be automatically reduced to two mills at the end of the fourth year of the levy;

(5) To borrow money in any year needed for its purposes in its name in advance and in anticipation of the collection of taxes so levied for such year, and to pledge such taxes as security for the payment of any and all such notes;

(6) To engage a competent fire marshal and fix his compensation and terms of employment and duties and to engage such other agents and servants as from time to time may be needed;

(7) To adopt rules and regulations for the proper establishment and operation of the system after consultation with the Southeastern Underwriters Association looking towards obtaining a lowering of fire insurance rates for property in the county, both rural and municipal; and

(8) To cooperate with all other fire protection agencies and operations in the county now or hereafter existing.”

SECTION 3. Section 14-894 amended—volunteer units.—Section 14-894 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 14-894. In each section or subdivision of the county set up in the fire protection system where the Commission may establish a fire station, there shall be a volunteer unit chief and such volunteer unit members and fire fighters as the Commission shall determine. Such units shall be known as the fire department of the designated area. It shall be the duty of such unit chief to enforce the rules of the Commission in the section and protect and care for the property of the Commission there placed. Each unit chief shall be appointed by the fire marshal, after an election by the members of the respective units, for a term of one year, or until his successor is appointed and qualifies, and shall perform such other duties as may be set forth in the rules of the Commission. Vacancies in the office of the unit chief shall be filled in the manner of the original appointment. The unit chief may be removed only for cause following a hearing by the full Commission.”

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1079, H2608)

No. 928

An Act Changing The Name Of The Town Of West Columbia To The City Of West Columbia.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of West Columbia changed to city.—The name of the Town of West Columbia is hereby changed to the City of West Columbia.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1081, H2617)

No. 929

An Act To Amend Section 59-174 Of The 1962 Code, As Amended, So As To Include The Town Of Allendale In Allendale County Among Those Municipalities Wherein The Board Of Commissioners Of Public Works Has Been Abolished And The Duties And Powers Of The Board Have Been Vested In The Town Council.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Allendale to abolish commissioners of public works.—In addition to the cities and towns set out in Section 59-174 of the 1962 Code which shall not have boards of commissioners of public works, the Town of Allendale in Allendale County shall not have such a board and the powers, duties and responsibilities vested in such boards in other cities and towns shall be vested in the Town Council of the Town of Allendale.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1082, H2618)

No. 930

An Act To Amend Act 721 Of 1962, Relating To The Allendale County Development Board, So As To Empower It To Deal In Real Estate For Development Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 721 of 1962 amended—Section 4.1 added—board may deal in real estate.—Act 721 of 1962 is amended by adding new Section 4.1 to read as follows :

“Section 4.1. The board may purchase, own, sell, lease, mortgage or otherwise deal in real estate for development purposes.”

SECTION 2. Prior real estate transactions ratified.—Any transaction by the board purchasing, owning, selling, leasing or mortgaging real estate prior to the effective date of this act is hereby ratified.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1084, S419)

No. 931

An Act To Add Section 21-752.1 To The 1962 Code So As To Prescribe Eligibility Requirements Of Pupils To Attend Public Schools And To Amend Section 21-230 Of The 1962 Code, Relating To The Powers Of School Trustees, So As To Further Define Pupil Eligibility And The Powers Of Trustees Of School Districts With Respect Thereto.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-752.1 added—requirements to attend public schools.—There is added to the 1962 Code Section 21-752.1 to read as follows :

“Section 21-752.1. Children within the ages prescribed by Section 21-752 shall be entitled to attend the public schools of any school district, without charge, only if qualified under the following provisions of this section :

- (a) Such child resides with its parent or legal guardian ;

(b) The parent or legal guardian, with whom the child resides, is a resident of such school district; or

(c) The child owns real estate in the district having an assessed value of three hundred dollars or more; and

(d) The child has maintained a satisfactory scholastic record in accordance with scholastic standards of achievement prescribed by the trustees pursuant to Section 21-230; and

(e) The child has not been guilty of infraction of the rules of conduct promulgated by the trustees of such school district pursuant to Section 21-230."

SECTION 2. Section 21-230 amended—powers and duties of trustees.—Section 21-230 of the 1962 Code is amended by striking item (3) and inserting the following:

"(3) *Promulgate rules and regulations.* Promulgate rules prescribing scholastic standards of achievement and standards of conduct and behavior that must be met by all pupils as a condition to the right of such pupils to attend the public schools of such district. The rules shall take into account the necessity of proper conduct on the part of all pupils and the necessity for scholastic progress in order that the welfare of the greatest possible number of pupils shall be promoted notwithstanding that such rules may result in the ineligibility of pupils who fail to observe the required standards, and require the suspension or permanent dismissal of such pupils." and by adding item (10) to read as follows:

"(10) *Prescribe conditions and charges for attendance.* Be empowered to prescribe conditions and a schedule of charges based on cost per pupil as last determined, for attendance in the public schools of the school district for

(a) children of parents temporarily residing within the school district;

(b) children whose parents or legal guardians live elsewhere but who are residing with residents of the school district; and

(c) children of parents residing on Federal property or military or naval bases of the United States located within or adjacent to the boundaries of such school district; and

(d) all other children specially situated and not meeting the eligibility requirements of Section 21-752.1, but who shall have petitioned the trustees in writing seeking permission to attend the public schools of the school district."

The section when amended shall read as follows:

“Section 21-230. The board of trustees shall also:

(1) *Provide schoolhouses.* Provide suitable schoolhouses in its district and make them comfortable, paying due regard to any schoolhouse already built or site procured, as well as to all other circumstances proper to be considered so as best to promote the educational interest of the districts;

(2) *Employ and discharge teachers.* Employ teachers from those having certificates from the State Board of Education, fix their salaries and discharge them when good and sufficient reasons for so doing present themselves, subject to the supervision of the county board of education;

(3) *Promulgate rules and regulations.* Promulgate rules prescribing scholastic standards of achievement and standards of conduct and behavior that must be met by all pupils as a condition to the right of such pupils to attend the public schools of such district. The rules shall take into account the necessity of proper conduct on the part of all pupils and the necessity for scholastic progress in order that the welfare of the greatest possible number of pupils shall be promoted notwithstanding that such rules may result in the ineligibility of pupils who fail to observe the required standards, and require the suspension or permanent dismissal of such pupils.

(4) *Call meetings of electors for consultation.* Call meetings of the qualified electors of the district for consultation in regard to the school interests thereof, at which meetings the chairman or other member of the board shall preside, if present;

(5) *Control school property.* Take care of, manage and control the school property of the district;

(6) *Visit schools.* Visit the public schools within its district from time to time and at least once in every school term and take care that they are conducted according to law and with the utmost efficiency;

(7) *Control educational interest of district.* Manage and control local educational interests of its district, with the exclusive authority to operate or not to operate any public school or schools;

(8) *Charge matriculation and incidental fees.* Charge and collect matriculation and incidental fees from the pupils when allowed by any special act of the General Assembly;

(9) *Transfer and assign pupils.* Transfer any pupil from one school to another so as to promote the best interests of education, and

determine the school within its district in which any pupil shall enroll; and

(10) *Prescribe conditions and charges for attendance.* Be empowered to prescribe conditions and a schedule of charges based on cost per pupil as last determined, for attendance in the public schools of the school district for

(a) children of parents temporarily residing within the school district;

(b) children whose parents or legal guardians live elsewhere but who are residing with residents of the school district; and

(c) children of parents residing on Federal property or military or naval bases of the United States located within or adjacent to the boundaries of such school district; and

(d) all other children specially situated and not meeting the eligibility requirements of Section 21-752.1, but who shall have petitioned the trustees in writing seeking permission to attend the public schools of the school district."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1085, S541)

No. 932

An Act To Provide For Compensation To Magistrates' Jurors And Jurors At Inquests In Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg County — compensation of magistrates' jurors and jurors at inquests.—Notwithstanding any provision of the law to the contrary, in Spartanburg County jurors an inquests and magistrates' jurors in civil and criminal matters shall be paid three dollars per day.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1086, S556)

No. 933**An Act To Create A Committee To Lend Support And Leadership To The Nursing Profession In South Carolina And To Provide Funds Therefor.**

Whereas, a special committee was appointed to study the status of the nursing profession in South Carolina and to make recommendations designed to improve the professional standards necessary to meet or even surpass those required for national accreditation; and

Whereas, the committee has made many constructive suggestions designed to satisfactorily meet the criteria established by the Board of Nursing for South Carolina, and finally has offered the key recommendation for the creation of a committee on nursing with the duty of lending support and leadership to the nursing profession within the State and to encourage implementation of the statewide program offered by the committee. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Committee on nursing created.—There is hereby created a committee on nursing which shall be composed of nine members to be appointed as follows: two shall be appointed from the membership of the Senate by the President of that Body, two shall be appointed from the membership of the House of Representatives by the Speaker of that Body, and five shall be appointed by the Governor. The terms of office of the members of the committee from the House of Representatives and the Senate shall be co-terminous with their terms of office as members of their respective bodies. The terms of office of the five members appointed by the Governor shall be for four years. The five members of the committee first appointed by the Governor shall serve for terms as follows: two shall be appointed for two years, two shall be appointed for three years, and one shall be appointed for four years.

The committee shall meet as soon as practicable after appointments are made and shall organize itself by electing one member as chairman and such other officers as the committee may deem necessary. Thereafter, the committee shall meet on the call of the chairman or a majority of the members.

SECTION 2. Duties.—The committee shall maintain constant study of the nursing profession in the State and shall lend all possible support and leadership to its improvement. The implementation of the

statewide program set forth by the special committee on nursing shall be encouraged.

SECTION 3. Consult with Governor—annual report.—The committee shall consult with the Governor from time to time, shall keep him fully informed of its progress, and shall make an annual report to the General Assembly not later than ten days after the convening of each session.

SECTION 4. Compensation—expenses.—The members of the committee shall receive no salary but shall be entitled to such mileage, per diem and subsistence authorized by law for commissions, committees and boards. The sum of two thousand dollars is hereby appropriated from the general fund of the State for the expenses of the committee and shall be paid on vouchers signed by the chairman.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1087, S490)

No. 934

An Act To Provide For The Issuance Of Construction Permits In That Portion Of The Greenwood Metropolitan District Of Greenwood County Situated Outside The City Limits Of The City Of Greenwood; To Prohibit Electric Power Connections To A Building For Which A Permit Is Required, And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Building permits required in portion of Greenwood Metropolitan District.—It shall be unlawful to construct or renovate a building in that portion of the Greenwood Metropolitan District in Greenwood County, situated outside the city limits of the City of Greenwood, without having first obtained a building permit as required by zoning regulations adopted by the Greenwood Metropolitan Planning Commission pursuant to Article 20, Chapter 8, Title 14 of the 1962 Code.

SECTION 2. Electricity not to be furnished without permit.—Such permit shall be required prior to application being made for

any connection for electrical energy to any construction or renovation for which a permit is required by such regulations, and it shall be unlawful for any public utility company, rural electric cooperative, or electrical system or service to make a new connection of electrical energy to construction or renovation requiring a permit under the zoning regulations, unless the permit has been acquired and is displayed to the electrical company, cooperative, system or service.

SECTION 3. Application forms.—The tax assessor shall prepare and furnish the application forms, which shall show information to be of assistance to him in locating the real estate on which a new building is to be made and in checking tax returns. The information shall include, but shall not be limited to, the following: (a) name of owner of the real estate; (b) tax district; (c) street number or road and rural post office box number; (d) estimated cost of construction; (e) type of construction; (f) type of roof; (g) number of stories; (h) number of rooms; and (i) approximate distance from the limits of the nearest municipality.

The permits shall be obtained from the tax assessor or from such deputy as are named by the tax assessor for the granting and issuing of the permits.

SECTION 4. Penalties.—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than twenty-five dollars or be imprisoned for not more than five days. In case of a violation of the provisions of Section 1 of this act, each day that a violation is continued shall constitute a separate offense.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1091, S781)

No. 935

An Act To Repeal Sections 61-501 Through 61-511 Of The 1962 Code, Relating To The Teachers' Retirement Board Of Columbia School District No. 1 Of Richland County, And To Transfer Any Remaining Funds Held By The Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sections 61-501 through 61-511 repealed.—Sections 61-501 through 61-511 of the 1962 Code are hereby repealed.

SECTION 2. Funds to be transferred.—Any funds held by the Teachers' Retirement Board of Columbia School District No. 1 of Richland County shall be transferred and credited to the Capital Outlay Building Fund of the District.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1098, S816)

No. 936

An Act To Create The Chester County Recreational Commission And To Prescribe Its Powers And Duties.

Whereas, the General Assembly has determined that the people of Chester County can be benefited tremendously by the creation of a recreational commission and by making available for the use of the people certain recreational facilities. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chester County Recreational Commission created.—There is hereby created the Chester County Recreational Commission which shall be a body corporate. The commission shall consist of six members who shall be appointed by the Governor upon the recommendation of the Chester County Legislative Delegation. The members shall serve for terms of four years and until their successors are appointed and qualify except, of those members first appointed, three shall serve for terms of two years, which shall be determined by lot at the first meeting of the commission after appointment. Upon determination of the terms of those who shall serve first on the commission, the chairman shall notify the Secretary of State who shall forthwith issue commissions.

The commission shall meet as soon as practicable after appointment and shall elect one of its members as chairman and such other officers as the commission may deem necessary. The term of the chairman shall be for one year and he may succeed himself.

SECTION 2. Accept property and gifts.—The commission is authorized to accept title to property situated in Chester County in either fee simple or with such reversionary clauses as may be mutually agreed upon, whereby the title to lands shall revert to the grantor upon certain specific conditions. The commission is authorized to accept any gifts or federal grants believed to be useful for recreational purposes and the decision of the commission to accept a gift shall be final. The commission is also authorized to enter into leases with the owners of land considered desirable in carrying out the purposes of this act, including, but not limited to, agencies of the State and Federal governments.

SECTION 3. Powers and duties.—The commission shall operate recreational programs and be charged with the care, management, control and development of all property acquired, whether by deed of conveyance or by lease, and shall have full authority to regulate the use of the property by rules and regulations which shall be published in a newspaper of general circulation in Chester County and also posted in a conspicuous place on the property. All park and recreational facilities under control of the commission shall be developed to their greatest potential for educational and recreational purposes.

SECTION 4. Compensation — disbursements.—Members of the commission shall receive no salary but shall be entitled to such per diem, subsistence and mileage as authorized for commissions, committees and boards by law while in the performance of the duties for which appointed. The commission is authorized to disburse any funds which it might acquire, either by gift or by appropriation of the General Assembly, or otherwise, which shall be paid out on vouchers signed by the chairman of the commission.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

As To Further Provide For The District, The Commission And The Cost Of Construction Of The Center And The Site.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 243 of 1963 amended—Piedmont Technical Education and Training District created.—Section 2 of Act No. 243 of the Acts of 1963 is amended by striking on line four “Edgefield”, and “, Newberry”, so that when amended the section shall read as follows:

“Section 2. In order to fulfill the purposes and findings stated in Section 1, there is hereby created the Piedmont Technical Education and Training District, consisting of the Counties of Abbeville, Greenwood, Laurens, McCormick and Saluda, which shall be controlled and managed by a commission known as the Piedmont Technical Education Commission (hereinafter called the Commission).”

SECTION 2. Section 3 of Act 243 of 1963 amended—commission members—terms—officers.—Section 3 of Act No. 243 of the Acts of 1963 is amended by striking the first paragraph and inserting the following:

“The Commission shall consist of one member each from the Counties of McCormick and Saluda, two members each from the Counties of Abbeville and Laurens, and three members from Greenwood County. Each member shall be appointed by the Governor upon the recommendation of a majority of the legislative delegation, including the Senator, of his county.” and by striking on line 9 the word “terms” and inserting “a term” and by striking the word “appointment” on line 12 and inserting “appointments”. When so amended, the section shall read as follows:

“Section 3. The Commission shall consist of one member each from the Counties of McCormick and Saluda, two members each from the Counties of Abbeville and Laurens, and three members from Greenwood County. Each member shall be appointed by the Governor upon the recommendation of a majority of the legislative delegation, including the Senator, of his county.

Of those first appointed, two shall have a term of one year, two shall have a term of two years, two shall have a term of three years, and three shall have a term of four years. Upon the expiration of the terms of office of those first appointed, successors shall be appointed for terms of four years in the same manner as provided for the original appointments. If any vacancy shall arise, a successor shall be ap-

pointed by the Governor for the balance of the unexpired term in the same manner as the original appointment was made. The members of the Commission shall hold office until their successors shall have been appointed and shall qualify. All terms of office shall terminate on the appropriate anniversary of the effective date of this act, notwithstanding that a delay in making appointments shall lessen the duration of the terms of office. As soon as practicable after the initial appointments are made, the Commission shall meet and organize by electing one of its members as chairman, another as vice chairman, and a third as secretary. A transcript of the record of the initial organization shall be filed with the governing body of each county in order to reflect the initial membership of the Commission and those who shall become its officers."

SECTION 3. Section 5 of Act 243 of 1963 amended—costs.—Section 5 of Act No. 243 of the Acts of 1963 is amended by striking in its entirety and inserting in lieu the following:

"Section 5. The cost of construction of the center shall be borne by the participating counties on the following pro rata basis:

Abbeville	14 per cent
Laurens	21.3 per cent
McCormick	5.5 per cent
Saluda	6.2 per cent
Greenwood	53 per cent

In addition, Greenwood County shall provide without cost to the Commission a suitable site for the center."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

An Act To Amend Section 19-52 Of The 1962 Code Relating To The Distribution Of Property Of Intestate Estates, So As To Create A Presumption In Regard To The Heirs Of A Person Presumed Dead Under The Common Law.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 19-52 amended—Item (11) added—persons presumed dead.—Section 19-52 of the 1962 Code is amended by adding at the end thereof the following:

“(11) Whenever any person shall be presumed dead by reason of disappearance or long unexplained absence under the common law rule in this State and such person shall have been unmarried at the time of such disappearance and when last heard from, then such person shall further be presumed to have died intestate, unmarried and without issue.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1101, H1659)

No. 939

An Act To Amend Section 59-248 Of The 1962 Code, Relating To The Furnishing Of Water And Sewer Service For Compensation By Municipalities, So As To Further Provide For Sewer Service Charges.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59-248 amended—furnishing of water—fee.—Section 59-248 of the 1962 Code is amended by inserting on line one between the words “town” and “may” the words “or special service district”; by inserting on line three between the words “maintenance” and “of” the words “or construction”; and by adding at the end thereof the words “within such city or town or special service district”. The section when amended shall read as follows:

“Section 59-248. Any city or town or special service district may, after acquiring a waterworks or sewer system, furnish water to persons for reasonable compensation and charge a minimum and reasonable sewerage charge for maintenance or construction of such sewerage system within such city or town or special service district.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1102, H1990)

No. 940

An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit School District No. 5 Of Florence County To Incur Bonded Indebtedness Up To Fifteen Per Cent Of The Assessed Value Of The Taxable Property Therein.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article X, Section 5, State Constitution ratified—bonded indebtedness of Florence County School District 5.—The amendment to Section 5, Article X, of the Constitution of South Carolina, 1895, proposed under the terms of a Joint Resolution entitled “A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit School District No. 5 Of Florence County To Incur Bonded Indebtedness Up To Fifteen Per Cent Of The Assessed Value Of The Taxable Property Therein” and appearing as Joint Resolution No. 438 of the Acts of 1961, having been submitted to the qualified electors at the general election of 1962 in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Section 5, Article X, of the Constitution of South Carolina, 1895, the following: “*Provided*, that the limitations as to bonded indebtedness imposed by this section shall not apply to Florence School District No. 5 of Florence County, the State of South Carolina, and that the school district may incur bonded indebtedness for school purposes to an amount not exceeding fifteen per cent of the assessed value of all taxable property therein.”

Ratified the 15th day of April, 1964.

(R1103, H2133)

No. 941

An Act Adding Section 65-251.1 To The 1962 Code, Relating To Income Taxes, So As To Provide For Certain Items Of Gross

Income In Respect Of A Decedent To Be Included In Gross Income For The Taxable Year When Received And To Provide For Allowances For Estate Tax Purposes; And To Amend Section 65-271 Of The 1962 Code, As Amended, Relating To The Determination Of Gain Or Loss For Income Tax Purposes, So As To Exclude Certain Property From The Provisions Of This Section.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-251.1 added—taxing gross income of decedent.—Section 65-251.1 is added to the 1962 Code to read as follows:

“Section 65-251.1. (a) (1) The amount of all items of gross income in respect of a decedent which are not properly includible in respect of the taxable period in which falls the date of his death or a prior period shall be included in gross income, for the taxable year when received, of;

(A) The estate of the decedent, if the right to receive the amount is acquired by the decedent's estate from the decedent;

(B) The person who, by reason of the death of the decedent, acquires the right to receive the amount, if the right to receive the amount is not acquired by the decedent's estate from the decedent; or

(C) The person who acquires from the decedent the right to receive the amount by bequest, devise, or inheritance, if the amount is received after a distribution by the decedent's estate of such right.

(2) If a right, described in item (1) of subsection (a), to receive an amount is transferred by the estate of the decedent or a person who received such right by reason of the death of the decedent or by bequest, devise, or inheritance from the decedent, there shall be included in the gross income of the estate or such person, as the case may be, for the taxable period in which the transfer occurs, the fair market value of such right at the time of such transfer plus the amount by which any consideration for the transfer exceeds such fair market value. For purposes of this paragraph, the term ‘transfer’ includes sale, exchange, or other disposition, or the satisfaction of an installment obligation at other than face value, but does not include transmission at death to the estate of the decedent or a transfer to a person pursuant to the right of such person to receive such amount by reason of death of the decedent or by bequest, devise, or inheritance from the decedent.

(3) The right, described in item (1) of subsection (a), to receive an amount shall be treated, in the hands of the estate of the decedent or any person who acquired such right by reason of the death of the decedent, or by bequest, devise, or inheritance from the decedent, as if it had been acquired by the estate or such person in the transaction in which the right to receive the income was originally derived and the amount includible in gross income under items (1) or (2) of subsection (a) shall be considered in the hands of the estate or such person to have the character which it would have had in the hands of the decedent if the decedent had lived and received such amount.

(4) In the case of an installment obligation received by a decedent on the sale or other disposition of property, the income from which was properly reportable by the decedent on the installment basis under Section 65-286, if such obligation is acquired by the decedent's estate from the decedent or by any person by reason of the death of the decedent or by bequest, devise, or inheritance from the decedent:

(A) an amount equal to the excess of the face amount of such obligation over the basis of the obligation in the hands of the decedent (determined under Section 65-286 (3) and (4)) shall, for the purpose of item (1) of subsection (a) be considered as an item of gross income in respect of the decedent; and

(B) such obligation shall, for purposes of items (2) and (3) of subsection (a), be considered a right to receive an item of gross income in respect of the decedent, but the amount includible in gross income under paragraph (2) shall be reduced by an amount equal to the basis of the obligation in the hands of the decedent (determined under Section 65-286 (3)).

(b) The amount of any deduction specified in Sections 65-258 and 65-259, (relating to deductions for expenses, interest, taxes, and depletion) in respect of a decedent which is not properly allowable to the decedent in respect of the taxable period in which falls the date of his death, or a prior period, shall be allowed:

(1) In the case of a deduction specified in Sections 65-258 and 65-259, in the taxable year when paid:

(A) to the estate of the decedent; except that

(B) if the estate of the decedent is not liable to discharge the obligation to which the deduction or credit relates, to the person who, by reason of the death of the decedent or by bequest, devise, or inheritance acquires, subject to such obligation, from the decedent an interest in property of the decedent.

(2) In the case of the deduction specified in Section 65-259 (8) to the person described in subsection (a) (1) (A), (B), or (C) who, in the manner described therein, receives the income to which the deduction relates, in the taxable year when such income is received.

(c) Deduction for Estate Tax:

(1) Allowance of deduction.

(A) General rule. A person who includes an amount in gross income under subsection (a) shall be allowed, for the same taxable year, as a deduction an amount which bears the same ratio to the estate tax attributable to the net value for estate tax purposes of all the items described in subsection (a) (1) as the value for estate tax purposes of the items of gross income or portions thereof in respect of which such person included the amount in gross income (or the amount included in gross income, whichever is lower) bears to the value for estate tax purposes of all the items described in subsection (a) (1).

(B) Estates and trusts. In the case of an estate or trust, the amount allowed as a deduction under subparagraph (A) shall be computed by excluding from the gross income of the estate or trust the portion (if any) of the items described in subsection (a) (1) which is properly paid, credited, or to be distributed to the beneficiaries during the taxable year.

(2) For the purposes of paragraph (1):

(A) The term 'estate tax' means the tax imposed on the estate of the decedent or any prior decedent under Section 65-451 or Section 65-461, reduced by the credits against such tax.

(B) The net value for estate tax purposes of all the items described in subsection (a) (1) shall be the excess of the value for estate tax purposes of all the items described in subsection (a) (1) over the deductions from the gross estate in respect of claims which represent the deductions and credit described in subsection (b).

(C) The estate tax attributable to such net value shall be an amount equal to the excess of the estate tax over the estate tax computed without including in the gross estate such net value."

SECTION 2. Section 65-271 amended—not applicable to certain property.—Section 65-271 of the 1962 Code, as amended, is further amended by adding at the end thereof the following:

“This section shall not apply to property which constitutes a right to receive an item of income in respect of the decedent under Section 65-251.1.”

SECTION 3. Time effective.—Upon approval by the Governor, this act shall be effective for taxable years beginning on or after January 1, 1964.

Approved the 17th day of April, 1964.

(R1104, H2135)

No. 942

An Act Adding Section 65-278.2 To The 1962 Code, Relating To Income Taxes, So As To Provide For The Restriction Of Losses With Respect To Transactions Between Related Taxpayers.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-278.2 added—when deductions not to be allowed.—Section 65-278.2 is added to the 1962 Code which shall read as follows:

“Section 65-278.2. (a) No deduction shall be allowed:

(1) In respect of losses from sales or exchanges of property (other than losses in cases of distributions in corporate liquidations), directly or indirectly, between persons specified within any of the items of subsection (b) of this section.

(b) The persons referred to in subsection (a) of this section are:

(1) Members of a family, as defined in item (4) of subsection (c) of this section;

(2) An individual and a corporation more than fifty per cent in value of the outstanding stock of which is owned, directly or indirectly, by or for such individual;

(3) Two corporations more than fifty per cent in value of the outstanding stock of each which is owned, directly or indirectly, by or for the same individual or corporation;

(4) A grantor and a fiduciary of any trust;

(5) A fiduciary of a trust and a fiduciary of another trust, if the same person is a grantor of both trusts;

(6) A fiduciary of a trust and a beneficiary of such trust;

(7) A fiduciary of a trust and a beneficiary of another trust if the same person is a grantor of both trusts;

(8) A fiduciary of a trust and a corporation more than fifty per cent in value of the outstanding stock of which is owned, directly or indirectly, by or for the trust or by or for a person who is a grantor of the trust; or

(9) A person and an organization relating to certain educational and charitable organizations which are exempt from tax and which are controlled directly or indirectly by such person or (if such person is an individual) by members of the family of such individual.

(c) For purposes of determining, in applying subsection (b) of this section, the ownership of stock

(1) Stock owned, directly or indirectly, by or for a corporation, partnership, estate, or trust shall be considered as being owned proportionately by or for its shareholders, partners, or beneficiaries;

(2) An individual shall be considered as owning the stock owned, directly or indirectly, by or for his family;

(3) An individual owning (otherwise and by the application of paragraph (2)) any stock any corporation shall be considered as owning the stock owned, directly or indirectly, by or for his partner;

(4) The family of the individual shall include only his brothers and sisters (whether by the whole or half blood), spouses, ancestors, and lineal descendants; and

(5) Stock constructively owned by a person by reason of the application of item (1) of this subsection shall, for the purpose of applying items (1), (2), or (3) of this subsection, be treated as actually owned by such persons, but stock constructively owned by an individual by reason of the application of items (2) or (3) of this subsection shall not be treated as owned by him for the purpose of again applying either of such paragraphs in order to make another the constructive owner of such stock."

SECTION 2. Time effective.—Upon approval by the Governor, this act shall be effective with respect to transactions occurring on or after January 1, 1964.

Approved the 17th day of April, 1964.

Take Into Account Certain Adjustments When Taxpayer's Accounting Basis Is Changed From A Cash To An Accrual Basis.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-281 amended—accounting methods.—

Section 65-281 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 65-281. (a) The net income of a taxpayer shall be computed in accordance with the method of accounting regularly employed in keeping the books of such taxpayer. But if such method does not clearly reflect the income, the computation shall be made in accordance with such method as in the opinion of the Commission does clearly reflect the income.

(b) If a taxpayer's accounting basis is changed voluntarily or involuntarily from a cash to an accrual, there shall be taken into account those adjustments which are determined to be necessary solely by reason of the change in order to prevent amounts from being duplicated or omitted.

(c) Limitation of Tax:

(1) Three year allocation. -If-

(A) the method of accounting from which the change is made was used by the taxpayer in computing his taxable income for the two taxable years preceding the year of the change, and

(B) the increase in taxable income for the year of the change which results solely by reason of the adjustments required by subsection (b) of this section, then the tax under this chapter attributable to such increase in taxable income shall not be greater than the aggregate increase in the taxes under this chapter (or under the corresponding provisions of prior revenue laws) which would result if one-third of such increase in taxable income were included in taxable income for the year of the change and one-third of such increase were included for each of the two preceding taxable years.

(2) Special rules for computations.—For purposes of this subsection—

(A) there shall be taken into account the increase or decrease in tax for any taxable year preceding the year of the change to which no adjustment is allocated under item (1) of this section but which is affected by a net operating loss (as defined in Section 65-259 (12)), determined with reference to taxable years with respect to which adjustments under item (1) of this section are allocated.”

SECTION 2. Time effective.—Upon approval by the Governor, this act shall be effective with respect to taxable periods beginning on or after January 1, 1964.

Approved the 17th day of April, 1964.

(R1106, H2138)

No. 944

An Act To Provide For Treatment As Capital Gains Of Certain Distributions From Regulated Investment Companies.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain distributions from regulated investment companies to be treated as capital gains.—Amounts distributed by a regulated investment company, as that term is defined and limited by Section 851 of the Internal Revenue Code of 1954, as amended as of the effective date of this act, which are designated as capital gain dividends, as that term is defined in Section 852 (b) (3) (C) of the Internal Revenue Code of 1954, as amended as of the effective date of this act, shall be treated for income tax purposes by taxpayers, other than corporations, as gains from the sale or exchange of capital assets held for more than six months.

SECTION 2. Time effective.—Upon approval by the Governor, this act shall be effective for returns filed for taxable periods beginning on and after January 1, 1960.

Approved the 17th day of April, 1964.

(R1107, H2160)

No. 945

An Act To Authorize The Clerk Of Court Of Charleston County To Destroy Certain Records Filed By Political Candidates.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charleston County—clerk of court may destroy old political records.—The Clerk of Court of Charleston County is hereby authorized to destroy any political expense statement or oath of a political candidate which has been on file in his office for more than ten years.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1108, H2219)

No. 946

An Act To Amend Section 28-337.1 Of The 1962 Code, Relating To Hunting Wild Turkeys In Game Zone No. 6, So As To Change One Of The Seasons In Charleston County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-337.1 amended—turkey season in Game Zone 6.—Section 28-337.1 of the 1962 Code is amended by adding at the end thereof the following: “*Provided*, that in Charleston County the earlier season shall be from March fifteenth to April fifteenth, inclusive.” so that when amended the section shall read as follows :

“Section 28-337.1. In Game Zone No. 6 male wild turkeys, gobblers, may be hunted from the day before Thanksgiving to January first, inclusive, and from March first to April first, inclusive. *Provided*, that in Charleston County the earlier season shall be from March fifteenth to April fifteenth, inclusive.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1109, H2225)

No. 947

An Act To Amend Section 8-820 Of The 1962 Code, Relating To Instruments Payable To Bearer, So As To Further Provide For The Provision Relating To A Fictitious Payee.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (3) of Section 8-820 amended—when instrument payable to bearer.—Item (3) of Section 8-820 of the 1962

Code is amended by striking it in its entirety and inserting in lieu thereof the following:

“(3) When it is payable to the order of a fictitious or non-existing or living person not intended to have any interest in it, and such fact was known to the person making it so payable, or known to his employee or other agent who supplies the name of such payee;”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1110, H1703)

No. 948

An Act To Amend Section 16-413.1 Of The 1962 Code Prohibiting The Commission Of Lewd Acts Upon Children Under Fourteen Years Of Age, So As To Make The Prohibition Applicable To Minors And To The Attempt To Commit Such Acts, And To Make Further Provision For Punishment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 16-413.1 amended—unlawful to commit lewd act upon child under fourteen.—Section 16-413.1 of the 1962 Code is amended by striking the word “adult” in line two and inserting the words “person over the age of fourteen years”; by inserting in line two between the words “commit” and “any” the words “or attempt” and by striking on the last line the words “imprisoned in the discretion of the court” and inserting in lieu thereof the words “punished by fine or imprisonment, or both, in the discretion of the court”. The section when amended shall read as follows:

“Section 16-413.1. It shall be unlawful for any person over the age of fourteen years to wilfully and lewdly commit or attempt any lewd or lascivious act upon or with the body, or any part or member thereof, of a child under the age of fourteen years, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of such person or of such child. Anyone violating the provisions of this section shall be punished by fine or imprisonment, or both, in the discretion of the court.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1111, H2293)

No. 949

An Act To Amend Section 65-259 Of The 1962 Code, Relating To The Taxation Of Income So As To Allow Corporations In Computing Net Income To Deduct Contributions To Trusts Or Foundations Organized For Religious, Charitable, Scientific, Literary Or Educational Purposes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (5) of Section 65-259 amended—corporations may deduct certain contributions.—Item (5) of Section 65-259 of the 1962 Code is amended by striking the last four lines and inserting in lieu thereof the following:

“(e) Any charitable or eleemosynary trust or foundation organized exclusively for religious, charitable, scientific, literary or educational purposes, no part of the earnings or net income of which inures to the benefit of any private shareholder or individual, and if no substantial part of the activities of the same consist of carrying on propaganda or otherwise attempting to influence legislation, provided that the deduction allowed a corporation for contributions to such trust or foundation shall not exceed an amount equal to the proportion of the amounts contributed by a corporation to such charitable or eleemosynary trust or foundation as the contributions of the trust or foundation to South Carolina charitable objects bears to the total contributions of the trust or foundation to such charitable objects wherever situate made within the year of the contribution and the two taxable years of the trust or foundation immediately preceding the year in which the contribution is made. *Provided*, however, that such deduction may be disallowed to the extent that such pro rata amount shall exceed the amount such trust or foundation shall contribute for South Carolina purposes described in subitems (a), (b), (c), or (d) of item (5) within three years from the end of the taxable year in which deduction is claimed and which shall not have been attributed to any other gift.

But the total deduction to be allowed any corporation by reason of contributions to the foregoing in any one year shall not exceed five per cent of the corporation's net income, as computed without the benefit of the deductions allowed by this item (5); *provided*, that with respect to corporations transacting or conducting business partly within and partly without this State, when such corporations elect to allocate and apportion net income for income tax purposes

in accordance with Article 5 of this Chapter, the deductions allowed by this item (5), subitems (a), (b), (d), and (e) shall be allowed in full without allocation and apportionment as deductions from that portion of the entire net income taxable by this State but shall not exceed in any one year five per cent of that portion of the entire net income taxable by this State as computed without the benefit of the deductions allowed by this item (5).

In the case of a corporation reporting its net income on the accrual basis, at the election of the taxpayer any contribution or gift, payment of which is made after the close of the taxable year and on or before the fifteenth day of the third month following the close of such year shall, for the purposes of this subsection, be considered as paid during such taxable year if, during such year, the board of directors authorized such contribution or gift. Such election shall be made only at the time of the filing of the return for the taxable year, and shall be signified in such manner as the Tax Commission shall by rules and regulations prescribe."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor and shall be effective with respect to taxable periods beginning on or after January 1, 1964.

Approved the 17th day of April, 1964.

(R1112, H2441)

No. 950

An Act To Provide For The Garnishment Of Wages, Fees And Commissions Of Persons Receiving County Paid Medical Care Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Attachment of wages for medical care.—Wages, fees and commissions due or to become due any person who has received medical care for himself or for a person whose medical expenses, he is obligated by law or has contracted to pay, exclusive of doctor's fees, which has been paid for by a county, may be attached as hereinafter set forth.

SECTION 2. Conditions for attachment.—The director of the county welfare department or the chief administrator of any county

operated hospital hereinafter referred to as petitioner, upon alleging in a verified petition, (a) that there was expended for the previous fiscal year in the county where the medical care was rendered, twenty-four per cent of the total operating budget for such county, public funds for the hospitalization, medical care and treatment of persons in a sum in excess of twenty-four per cent of the total operating budget for such county, (b) that the person or someone for whom he is legally responsible has received medical care, excluding doctor's fees, in a stated amount, (c) that the cost of this care has been paid by the county, (d) that the person is gainfully employed, (e) that the person is indebted to the county for the cost of medical care received, (f) that the name of the person's employer and the approximate amount of the person's average weekly gross wage, and (g) that the county has not been paid for the cost of the medical care rendered, may apply to the court of common pleas or any other court having concurrent jurisdiction in the county where the person is employed, for an order requiring the employer of such person, to withhold from his wages, fees or commissions due or to become due, a sum not to exceed fifteen per cent of the average gross weekly wage earned by such person each week, and to pay whatever amount so collected over to the petitioner once a month until the amount found to be due has been paid in full. The order shall not become effective until twenty days after the order has been served on all respondents as hereinafter designated.

SECTION 3. Service on employee and employer.—A duplicate copy of the summons, petition, and order shall be served on the person who is employed and his employer, who shall both be designated respondents. Each shall have twenty days in which to answer or otherwise plead.

SECTION 4. Grounds for dismissal of action.—Any or all respondents shall have twenty days from the service of the order to show cause why the order should not become effective or the action dismissed. The following shall constitute good and sufficient grounds for dismissing the action, but without prejudice to the petitioner:

- a. That in the discretion of the court, the imposition of the order would result in extreme hardship on the person due to some situation beyond his control.
- b. That any one of the allegations set forth in the petition as required by Section 2 above is false.

SECTION 5. Payroll records may be required.—If doubt exists as to the amount the person earns, then on motion of petitioner the court shall require the employer to produce the payroll records of such person and to furnish any other information pertinent to the question.

SECTION 6. Appeals.—Should any person be aggrieved by the order, he may appeal as in other cases brought in the court of common pleas, but such appeal shall not stay the order issued.

SECTION 7. Return of money improperly held.—Should it be determined that the person receiving medical care is not indebted as alleged in the petition, any money withheld from him shall be returned together with six per cent interest and a reasonable attorney's fee as set by the court, provided an attorney has been employed by such person.

SECTION 8. Employer to receive service fee.—Every employer shall be allowed to deduct and retain from the amount of the payment, one dollar from each monthly payment made to petitioner to reimburse him for services rendered in the action.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1115, H2545)

No. 951

An Act To Authorize The University Of South Carolina To Close Certain Public Roads Or Streets.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. University of S. C. may close certain streets.—The University of South Carolina is authorized to close any public road or street which is bordered on two sides by property now owned by the University or hereafter acquired by it. *Provided*, that no road or street shall be closed which is situated within the corporate limits of the City of Columbia without concurrence of the governing body of the city. *Provided*, further, that no section of the State Highway System shall be closed without concurrence of the State Highway Department.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1117, H2566)

No. 952

An Act To Amend Section 15-263 Of The 1962 Code, Relating To Terms Of Court In The Second Judicial Circuit, So As To Provide For An Additional Term Of The Court Of Common Pleas In Barnwell County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Subparagraph (3) of Section 15-263 amended—terms of court for Barnwell County.—Subparagraph (3) of Section 15-263 of the 1962 Code is amended by providing for Barnwell County an additional term of the court of common pleas immediately upon the conclusion of the business of the court of general sessions in September for the remainder of the week. The subparagraph when so amended shall read as follows:

“(3) *Barnwell County.*—The court of general sessions for Barnwell County shall be held at Barnwell on the second Monday in February for a term of one week, on the fourth Monday in May for a term of one week and on the third Monday in September for a term of one week. The court of common pleas of the county shall be held at Barnwell on the second Monday in March for a term of two weeks, on the second Monday in June for a term of one week, immediately upon the conclusion of the business of the court of general sessions in September for the remainder of the week, and on the first Monday in December for a term of two weeks.

Immediately upon the conclusion of the business of the court of general sessions in September, the court of common pleas shall open, and the petit jurors drawn to serve in the court of general sessions shall serve as petit jurors in the court of common pleas, and any and all business may be transacted during the September term as may be done at any other term of the court of common pleas. *Provided*, the petit jury for this term of the court of common pleas shall not report for service before Wednesday.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1118, H2593)

No. 953

An Act To Amend Section 14-1198.6 Of The 1962 Code, As Amended, Relating To Certain Sums That May Be Expended By Certain Officials In Charleston County, So As To Increase The Amount Which May Be Expended By The Master In Equity.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-1198.6 amended—sheriff, judge of probate and master in equity may spend certain sums.—Section 14-1198.6 of the 1962 Code, as amended by Act 378 of 1963, is further amended by striking on line 7 of the section “two thousand” and inserting “three thousand two hundred”. The section when amended shall read as follows:

“Section 14-1198.6. The sheriff, the judge of probate, and the master in equity shall have full authority, notwithstanding the provisions of this article, to expend from the gross fees received by them for the legitimate hiring of personnel or other legitimate expenses of their offices the following amounts: Sheriff, forty thousand dollars; Judge of probate, five thousand dollars; master in equity, three thousand two hundred dollars. To the extent of such expenditures actually made, and within such prescribed limits, such offices shall not be liable to the county for any funds so expended; but such officers shall report all such expenses to the county treasurer monthly and at the end of each calendar year and shall only be liable to the county for any excess net fees as determined by the provisions of this article.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1119, H2227)

No. 954

An Act To Amend Section 8-223 Of The 1962 Code, Relating To Personal Or Installment Loans, So As To Modify A Reference To National Bank Loans.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 8-223 amended—personal or installment loans.—Section 8-223 of the 1962 Code is amended by striking on lines 3 and 4 the words “or for such length of time as may be prescribed for similar loans for national banks” and by adding at the end of the section the following: “*Provided*, further, that personal or installment loans may also be made for such length of time and on such other terms and conditions as may be prescribed for similar loans for national banks.”, so that when amended the section shall read as follows:

“Section 8-223. So-called personal or installment loans when secured by chattels or endorsements may be made for a period not exceeding eighteen months, provided the note or notes are payable in equal monthly installments or as nearly equal as the principal amount allows, except that in the case of such loans as are secured by chattel mortgages on farm implements or equipment, such installment payments may be monthly, quarterly, semiannually or annually. *Provided*, further, that personal or installment loans may also be made for such length of time and on such other terms and conditions as may be prescribed for similar loans for national banks.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1120, H2230)

No. 955

An Act To Repeal Sections 8-107 And 8-253 Of The 1962 Code, Relating To License Fees Of Foreign Banking Associations And To Certain Fees And Examinations Of Building And Loan Associations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sections 8-107 and 8-253 repealed.—Sections 8-107 and 8-253 of the 1962 Code are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1121, H2232)

No. 956

An Act To Amend Section 46-138 Of The 1962 Code, As Amended, Relating To Notice Of Cancellation Of Motor Vehicle Liability Insurance, So As To Provide For Notice Of Cancellation To The Insured By Regular Mail When Evidenced By Postal Receipt.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 46-138 amended—notice of cancellation of motor vehicle liability insurance.—Section 46-138 of the 1962 Code, as amended by Act 312 of 1963, is further amended by adding between the words “by” and “certified” on line 4 the word “either” and by inserting between the words “mail” and “and” on the same line the words “or by regular mail when evidenced by a post office receipt form”. The section when amended shall read as follows:

“Section 46-138. Prior to the termination of insurance by cancellation or refusal to renew by the insurer, at least ten days notice of such cancellation or refusal to renew shall be forwarded to the insured at his designated address by either certified mail or by regular mail when evidenced by a post office receipt form and in such event, or in the event of any termination of insurance by the insured, notice of such cancellation or other termination shall be filed by the insurer with the department not later than five days following the effective date of such cancellation or other termination.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1123, H2266)

No. 957**An Act To Authorize The Deposit Of Money As Bail With The Game Warden.**

Be it enacted by the General Assembly of the State of South Carolina .

SECTION 1. Deposit of bail with game wardens.—When any person is apprehended by a game warden upon a charge of violating any fish or game laws, the enforcement of which by a game warden is authorized by law, the person so being charged, upon being served with the official summons issued by the arresting game warden, in lieu of being immediately brought before the proper magistrate, recorder or other judicial officer to enter into a formal recognizance or make direct the deposit of a proper sum of money in lieu of a recognizance or incarceration, may deposit with the apprehending game warden a sum of money as bail, not less than the minimum nor more than the maximum fine, but in no case to exceed one hundred dollars, to be in due course turned over to the judicial officers as money for bail, in lieu of entering into a recognizance for his appearance for trial as set out in the summons or being incarcerated by the arresting officer and held for further action by the appropriate judicial officer. A receipt for the sum so deposited shall be given to the person by the game warden. The summons duly served shall give the judicial officer jurisdiction to dispose of the matter. Upon receipt of the fixed sum of money the game warden may release the person so charged so that he may appear before the proper judicial officer at a time stated in and required by the summons.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1126, H2397)

No. 958**An Act To Amend Section 19-412 Of The 1962 Code, Relating To Posting Rather Than Publishing Notices In Certain Estates In Richland County, So As To Increase The Limits Of The Estates.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 19-412 amended—when publication not required in Richland County.—Section 19-412 of the 1962 Code is

amended by striking "five hundred" on lines 1 and 2 and inserting "one thousand" so that, when so amended, the section shall read:

"Section 19-412. In estates of less than one thousand dollars, no publication for any purpose shall be required in Richland County to be inserted in any newspaper, but in lieu thereof notices shall be posted at the courthouse door which shall have the same force and effect as if published."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1127, H2427)

No. 959

An Act To Provide That Members Of The Darlington County Commission Shall Be Elected In A General Election.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Darlington County Commission to be elected.—Notwithstanding the provisions of Section 14-1662 of the 1962 Code and Act No. 977 of 1962, members of the Darlington County Commission shall be elected in the November general election next preceding the expiration of their respective terms.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1128, H2431)

No. 960

An Act To Amend Section 14-2314 Of The 1962 Code Relating To The Appointment Of The Chairman Of The County Board Of Commissioners Of Horry County, So As To Provide For The Election Of The Chairman, And To Amend Section 14-2318 Of The 1962 Code, Relating To The Duties Of The Chairman, So As To Further Define Such Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-2314 amended — chairman — election—term—bond.—Section 14-2314 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 14-2314. The chairman of the county board of commissioners shall be elected by the qualified electors of the county. The term of office of the chairman shall begin on the first Tuesday of January following the general election for presidential electors and shall be for a term of four years. He shall hold office until his successor is elected and qualifies. In the event of his holding over beyond his term, his successor shall serve for the remainder of the original term. The person appointed to fill the present vacancy shall hold office until the first Tuesday of January after the next general election, and until his successor is elected and qualifies. The person appointed to fill this vacancy shall be appointed by the Governor upon the recommendation of the Horry County Legislative Delegation. The chairman shall enter into a bond with some surety company authorized to do business in the State in the sum of five thousand dollars for the faithful discharge of his duties.”

SECTION 2. Section 14-2318 amended—duties of chairman—employees.—Section 14-2318 of the 1962 Code is amended to read as follows:

“Section 14-2318. The chairman of the board shall have direct charge of the construction and repair of all roads and bridges in the county. He shall have charge of the chain gang, all road machinery and all hired help who are engaged in any of the above-mentioned work, subject to the general direction and authority of the board. He may, subject to approval by a majority of the board, employ and discharge any employee that works for the county in the construction, repair and maintenance of roads and bridges in the county. All other employees of the county employed by the board shall be employed or discharged only with the written consent of the Senator and a majority of the county legislative delegation. The board shall fix the compensation for such employees. The chairman shall appoint all road overseers. At each regular meeting of the board the chairman shall make a report showing the work done during the previous month and the condition of the roads and bridges of the county.”

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1130, H2430)

No. 961**An Act To Require The Bonding Of Credit Purchasers At The Farmers' Market In Horry County And To Provide A Penalty For Violations.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Credit purchasers at Farmers' Market in Horry County to be bonded.—It shall be unlawful for any person to purchase on credit, produce at the Farmers' Market in Horry County, without first having posted with the Horry County Marketing Commission a surety bond in the amount of ten thousand dollars, issued by a company licensed to do business in this State, and conditioned for the payment of any such credit purchase; provided, however, that the aggregate liability of the surety for all breaches of the conditions of the bond shall, in no event, exceed the amount of such bond. The surety on any such bond may cancel it by giving thirty days notice in writing to the Commission, provided, however, that such cancellation shall not affect any liability on the bond accrued prior thereto. In lieu of such bond, the Commission may accept cash or other acceptable security. Suit upon the bond shall be maintained in Horry County.

SECTION 2. Penalties.—Any person violating the provisions of this act shall, upon conviction, be subject to a fine of one hundred dollars or imprisonment for thirty days.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1132, H2528)

No. 962**An Act To Amend Section 32-1637 Of The 1962 Code, Relating To Licenses Required For Distributors And Subdistributors Of Milk And Milk Products, So As To Further Provide When Licenses May Be Issued Or Declined.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 32-1637 amended—distributors of milk and milk products to be licensed.—Section 32-1637 of the 1962 Code is

amended by striking the last sentence and inserting in lieu the following: "The Commission shall not refuse to issue a license for any market for the reason that such market is adequately supplied. However, if the Commission determines that a surplus of production of grade A milk for fluid consumption exists in South Carolina during any year, and the total volume of grade A milk and milk products sold by a distributor in South Carolina exceeds the total volume of raw milk produced in South Carolina and purchased by such distributor during the year in which such surplus existed, it shall be the duty of the Commission to decline to issue a license authorizing such distributor to offer grade A fluid milk and fluid milk products for sale in any new or additional markets, unless the distributor making application for such license can show at a public hearing before the Commission that the issuance of such license would be materially beneficial to the consuming public. *Provided*, further, that regardless of any such surplus in any market the commission shall issue a license to any distributor authorizing him to offer grade A fluid milk and milk products for sale in a new or additional market so long as his milk purchases are at least substantial to his sales therein." When so amended, the section shall read:

"Section 32-1637. No distributor or subdistributor shall within this State, either directly or indirectly, for any purpose whatsoever buy, sell, or otherwise handle where, by contract or operation of law, title passes from one person to another person, receive on consignment or otherwise, or consign, or otherwise dispose of, any products covered by this article unless such person has been duly licensed as provided by this section and Sections 32-1638 to 32-1640.2.

Each distributor or subdistributor required to be licensed by this section shall be issued a license authorizing such person to receive, process, manufacture, sell or otherwise deal in any of the products covered by this article; *provided, however*, such person to whom each license is issued shall only be authorized to sell or offer such products for sale within the market or markets specified on the license. The Commission shall not refuse to issue a license for any market for the reason that such market is adequately supplied. However, if the Commission determines that a surplus of production of grade A milk for fluid consumption exists in South Carolina during any year, and the total volume of grade A milk and milk products sold by a distributor in South Carolina exceeds the total volume of raw milk produced in South Carolina and purchased by such distributor during the year in which such surplus existed, it shall be the duty of the

Commission to decline to issue a license authorizing such distributor to offer grade A fluid milk and fluid milk products for sale in any new or additional markets, unless the distributor making application for such license can show at a public hearing before the Commission that the issuance of such license would be materially beneficial to the consuming public. *Provided*, further, that regardless of any such surplus in any market the Commission shall issue a license to any distributor authorizing him to offer grade A fluid milk and milk products for sale in a new or additional market so long as his milk purchases are at least substantial to his sales therein."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1134, H2436)

No. 963

An Act Providing For The Promulgation Of Rules And Regulations Concerning Definitions, Standards, Registration, Description And Labeling Requirements For Imitation Foods And Beverages.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Rules and regulations concerning imitation foods and beverages to be issued.—The Commissioner of Agriculture shall promulgate and issue such rules and regulations as deemed necessary to advise and protect the health of the public in the sale and use of imitation foods by prescribing proper labeling requirements for such imitation food offered for sale in this State. The rules and regulations shall include a requirement that all persons transporting any imitation foods and beverages for human consumption into the State shall register each product to be transported with the Commissioner of Agriculture and shall furnish such description of the product as the Commissioner may prescribe.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1136, H2484)

No. 964**An Act To Amend Section 21-3059 Of The 1962 Code, Relating To The Horry County Public School System, So As To Increase The Millage For The Operation Of Schools.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-3059 amended—budget and tax levy.—Section 21-3059 of the 1962 Code is amended on line 7 by striking “forty-four” and inserting in lieu thereof “forty-eight”. The section when amended shall read as follows:

“Section 21-3059. The advisory boards of trustees, superintendents or principals of the several schools of the county shall prepare a budget for the next succeeding school year and submit it to the county board of education on or before March first of each year. The county board of education shall prepare a budget based on the budgets submitted by the trustees, superintendents or principals and shall determine the necessary millage, not to exceed forty-eight mills, for the operation of schools for the next succeeding school year. This budget shall be submitted to the Senator and House Members of Horry County on or before April first of each year. The Senator and the House Members shall instruct the county auditor to levy the millage which in their discretion is necessary for school purposes on or before April fifteenth.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1139, H2521)

No. 965**An Act To Amend Section 1-359 Of The 1962 Code, Relating To Purchases For Counties And Municipalities, So As To Provide That The Purchasing And Property Division Of The State Budget And Control Board May Make Purchases For Political Subdivisions Of The State.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1-359 amended—Budget and Control Board may purchase for political subdivisions.—Section 1-359 of the 1962

Code is amended by striking the word "or" on line three and inserting a comma and by adding after the word "municipality" on line three "or political subdivision". The section when amended shall read as follows:

"Section 1-359. The Purchasing and Property Division of the Board may purchase supplies and equipment for any county, municipality or political subdivision of the State when requested to do so by the governing body thereof. The purchases shall be made on the same terms and under the same rules and regulations as now provided for the purchase of supplies by the Purchasing and Property Division. The cost of any purchase made pursuant to this section shall be borne by the political subdivision concerned, which subdivision shall be billed direct therefor."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1141, H2539)

No. 966

An Act To Amend Act No. 912 Of 1962, Relating To The Organization Of Farmers Associations, So As To Change The Method Of Voting For The Board Of Directors Of Such Associations, And Other Matters.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 8 of Act 912 of 1962 amended—number of shares stockholder may own—number of votes.—Section 8 of Act No. 912 of 1962 is amended by placing a period after the word "association" on line 2 and striking out the remainder of the section and inserting in lieu thereof the following: "Each stockholder shall be allowed to cast as many votes as the number of shares he owns on any subject arising in the management of the association." The section when amended shall read as follows:

"Section 8. No stockholder shall own shares of a greater par value than one-fifth of the capital stock of the association. Each stockholder shall be allowed to cast as many votes as the number of shares he owns on any subject arising in the management of the association."

SECTION 2. Section 9 of Act 912 of 1962 amended—meeting of subscribers—election of board of directors.—Section 9 of Act No. 912 of 1962 is amended by changing the comma on line 7 to a period and striking out the remainder of the section and inserting in lieu thereof the following: "Each subscriber shall be allowed to cast as many votes as the number of shares he has subscribed to multiplied by the number of directors to be elected." The section when amended shall read as follows:

"Section 9. When not less than fifty per cent of the proposed capital stock shall have been subscribed by bona fide subscribers the board of incorporators shall call all the subscribers together. At such meeting of the subscribers, if a majority of them shall be present in person or by proxy, the subscribers shall proceed to the organization of the association by the election from themselves of a board of directors not less than five nor more than nine in number. Each subscriber shall be allowed to cast as many votes as the number of shares he has subscribed to multiplied by the number of directors to be elected."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1142, H2559)

No. 967

An Act To Amend Section 14-2212 Of The 1962 Code, Relating To The Clerk Of The Greenwood County Finance Board, So As To Change His Term From Two To Four Years.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-2212 amended — clerk — appointment and term.—Section 14-2212 of the 1962 Code is amended by striking the word "two" on line 5 and inserting in lieu thereof the word "four" so that when amended the section shall read as follows:

"Section 14-2212. The clerk of the finance board shall be a member of the finance board and shall be appointed by the Governor, upon the recommendation of a majority of the members of the county legislative delegation. The clerk shall be a citizen of the county and shall hold office for a term of four years and until his successor is appointed and qualified."

SECTION 2. Present term extended.—The current term of office of the present clerk of the finance board of Greenwood County is hereby extended for an additional two years..

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1143, H2560)

No. 968

An Act To Amend Section 23-177 Of The 1962 Code, Relating To Voting Precincts In Greenwood County, So As To Change The Name Of Algary To Shoals Junction.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County voting precinct changed.—Notwithstanding the provisions of Section 23-177 of the 1962 Code, the Algary voting precinct in Greenwood County shall hereafter be known as Shoals Junction.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1145, H2563)

No. 969

An Act Dividing The City Of Anderson In Anderson County Into Eight Wards; Providing For The Edgewood Precinct; And Providing For Voting When Areas Are Annexed To The City.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. City of Anderson divided into eight wards.—The City of Anderson is divided into eight wards, bounded and described as follows:

Ward I. Beginning at the intersection of the centerline of North Main Street and the centerline of Concord Road; thence northeastwardly along the centerline of Concord Road to the new city limits; thence along the new city limits in a clockwise direction to the center-

line of East Greenville Street; thence Southwestwardly along the centerline of East Greenville Street to the intersection with the centerline of East Mauldin Street; thence westwardly along the centerline of East Mauldin Street to the intersection with the centerline of North Main Street; thence northwardly along the centerline of North Main Street to the beginning corner.

Ward II. Beginning at the intersection of the centerline of North Main Street and the centerline of East Mauldin Street; thence eastwardly along the centerline of East Mauldin Street to the intersection with the centerline of East Greenville Street; thence northeastwardly along the centerline of East Greenville Street to the new city limits; thence along the new city limits in a clockwise direction to the centerline of East Calhoun Street; thence southwestwardly and westwardly along the centerline of East Calhoun Street to the intersection with the centerline of North Main Street; thence northwardly along the centerline of North Main Street to the beginning corner.

Ward III. Beginning at the intersection of the centerline of North Main Street and the centerline of East Calhoun Street; thence eastwardly and northeastwardly along the centerline of East Calhoun Street to the new city limits; thence along the new city limits in a clockwise direction to the old city limits where the Carolina and Northwestern Railroad intersects the old city limits (one mile radius); thence northwestwardly and westwardly along the centerline of the Carolina and Northwestern Railroad to the intersection of the centerline of North Main Street; thence northwardly along the centerline of North Main Street to the beginning corner.

Ward IV. Beginning at the intersection of the centerline of North Main Street and the centerline of the Carolina and Northwestern Railroad; thence eastwardly and southeastwardly along the centerline of the Carolina and Northwestern Railroad to the old city limits (one mile radius); thence in a clockwise direction along the old city limits to the centerline of South Main Street; thence northwardly along the centerline of South Main Street to the beginning corner.

Ward V. Beginning at the intersection of the centerline of North Main Street and the centerline of West Whitner Street; thence southwardly along the centerline of South Main Street to the old city limits (one mile radius); thence along the old city limits in a clockwise direction to the centerline of West Whitner Street; thence eastwardly along the centerline of West Whitner Street to the beginning corner.

Ward VI. Beginning at the intersection of the centerline of North Main Street and the centerline of West Mauldin Street; thence southwardly along the centerline of North Main Street to the centerline of West Whitner Street; thence westwardly along the centerline of West Whitner Street to the old city limits (one mile radius); thence along the old city limits in a clockwise direction to the centerline of the Carolina and Northwestern Railroad; thence along the new city limits in a clockwise direction to the centerline of West Mauldin Street; thence eastwardly along the centerline of West Mauldin Street to the beginning corner.

Ward VII. Beginning at the intersection of the centerline of North Main Street and the centerline of West Fredericks Street; thence southwardly along the centerline of North Main Street to the centerline of West Mauldin Street, thence westwardly along the centerline of West Mauldin Street and the extension thereof to the centerline of the Carolina and Northwestern Railroad; thence along the new city limits in a clockwise direction to the point of its intersection with the extension of the centerline of West Fredericks Street; thence along this extension and along the centerline of West Fredericks Street eastwardly to the beginning corner.

Ward VIII. Beginning at the intersection of the centerline of North Main Street and the centerline of West Fredericks Street; thence westwardly along the centerline of West Fredericks Street and the extension thereof to the new city limits; thence along the new city limits in a clockwise direction to the centerline of Concord Road; thence southwestwardly along the centerline of Concord Road to the centerline of North Main Street; thence, southwardly along the centerline of North Main Street to the beginning corner.

SECTION 2. Not to amend Section 23-157.—The provisions of this act shall not be deemed to amend the provisions of Section 23-157 of the 1962 Code. In any general, special, municipal or primary election, in which the qualified electors of the City of Anderson are entitled to vote, the voting shall be at and according to the precincts established by Section 23-157, and at Edgewood precinct, Edgewood precinct being hereby designated as a voting precinct within the City of Anderson.

SECTION 3. Voters of annexed areas.—Following the annexation to the City of Anderson of any area not including a voting place and before a polling place has been established, it shall be lawful for any

qualified voter residing in such area at the time of the annexation to vote in any general, special, municipal or primary election, if otherwise qualified, upon production of a registration certificate showing that he is duly registered in the precinct from which the annexed area was taken. Any voter participating in such election must vote at the polling place in the municipality nearest his residence and must furnish the managers with evidence satisfactory to them of his residence within the annexed area. When any person has voted under the provisions of this section, one of the managers shall forthwith write across the back of his registration certificate the word "voted" with the date on which the election is held and the initials of the manager.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1150, H2605)

No. 970

An Act To Provide For A Referendum As To The Creation Of The Monarch Fire District In Union County And To Provide For Its Creation In The Event Of A Favorable Vote; To Provide For A Board Of Fire Control For The District; To Prescribe The Powers, Duties And Membership Of The Board; To Provide For Tax Levies; And To Provide Penalties For Certain Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Referendum concerning creation of Monarch Fire District.—The Union County Commissioners of Election shall conduct a referendum on the 9th day of June, 1964, to ascertain the wishes of the qualified electors and freeholders residing within the proposed Monarch Fire District on the question of whether or not they favor the establishment of a rural fire district and favor the necessary tax levy.

The commissioners of election shall publish the information relating to the referendum once a week for two consecutive weeks in a newspaper having general circulation in the area.

SECTION 2. Conduct of election.—The commissioners of election shall have printed a sufficient number of ballots and have them distributed at the voting places. The ballots shall read as follows: “Do you favor establishing and operating a rural fire department in the Monarch area and the necessary tax levy?”

In favor of ☐

Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of’ and those voting against the question shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to.’”

All persons otherwise qualified, owning taxable property within the area, and all qualified electors residing within the area shall be entitled to vote. The officials responsible for canvassing the results of the election shall, within ten days, certify such results to the clerk of court of the county and to the Secretary of State, and to the Code Commissioner.

SECTION 3. Monarch Fire District created if election favorable.—If a majority of those voting in the election vote in favor of the creation of the fire district, there is hereby established the Monarch Fire District in Union County encompassed within the lines shown on a plat recorded in the office of the Clerk of Court for Union County in Plat Book, at Pages *Provided*, that all property now owned by Monarch Mills, including the Monarch Mills Plant site and the Ottoray Mills plant site, or otherwise is hereby excluded from the district.

SECTION 4. Board of fire control established.—After the creation of the Monarch Fire District, there is established a board of fire control for the district, to be composed of five members who shall be appointed by the Governor upon the recommendation of a majority of the Union County Legislative Delegation for terms of four years or until their successors are appointed and qualify, except that of those first appointed two members shall be appointed for terms of two years. The members of the board shall serve without pay and shall file annually a report with the Union County Board of Commissioners, not later than the first of November of each year, showing all activities and disbursements made by the board during the year.

If at least twenty per cent of the qualified electors residing in the district or persons otherwise qualified and owning taxable property within the district, or a combination thereof, petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose of electing a member to the board to succeed the member whose term will expire during such year, for a four-year term. Thereafter, members shall be elected in each succeeding general election for terms of four years.

SECTION 5. Duties.—The board shall have the following duties and responsibilities:

(a) To buy such fire-fighting equipment as the board deems necessary for the purpose of controlling fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the area where the fire-fighting equipment shall be kept.

(c) To provide and select the drivers and other volunteer firemen to man such equipment, who shall serve without compensation.

(d) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of the area.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire-fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(g) To construct, if necessary, buildings to house the equipment authorized herein.

(h) To borrow not exceeding twenty thousand dollars on such terms and for such a period as to the fire control board may seem most beneficial for the fire district in anticipation of taxes. The indebtedness shall be evidenced by a note issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the Monarch Fire District is hereby irrevocably pledged for the payment of the indebtedness.

SECTION 6. Tax levy.—The Auditor and Treasurer of Union County are hereby directed to levy and collect a tax of not more than five mills, to be determined by the board of fire control, upon

all the taxable property of the district for the purpose of defraying the expenses incurred by the board. All monies collected from this levy shall be credited to the fire district.

SECTION 7. Supervision of equipment.—The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision of its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

SECTION 8. Enforcement of fire laws.—All members of the truck company of the district may direct and control traffic at the scene of any fire in the area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 9. Unlawful acts—penalties.—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire department in the district, and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment for not exceeding thirty days.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1153, H2610)

No. 971

An Act To Amend Section 47-759 Of The 1962 Code, Relating To Civil Service Commissions In Cities Of Twenty-Eight Thousand To Twenty-Nine Thousand According To The Official United States Census Of 1930, So As To Change The Qualifications For Applicants For Positions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-759 amended—qualifications of applicants.—Section 47-759 of the 1962 Code is amended by striking be-

ginning on line four “, and must have been a resident of such city for at least one year”. The section when amended shall read as follows:

“Section 47-759. An applicant for a position of any kind under civil service must be a citizen of the United States and an elector of the county in which he resides, who can read and write the English language. He must be of an age of not more than thirty-five years and not less than twenty-one years, in ordinary good health, of good moral character and of temperate habits, these facts to be ascertained in such manner as the commission may deem advisable.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1155, H2615)

No. 972

An Act To Create The Greenwood County Data Processing Commission And To Repeal Act 257 Of 1963, Relating To The Greenwood County Data Processing Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County Data Processing Commission created.—There is hereby created, as an agency of Greenwood County, the Greenwood County Data Processing Commission to conduct and supervise a data processing program for interested governmental units and agencies within Greenwood County. The Commission shall be composed of one representative of each governmental unit which contracts with the commission for services, and two representatives of the county, of whom the clerk of the county finance board shall serve ex officio and one shall be appointed by the county legislative delegation for a term of four years. The county representative so appointed by the delegation shall serve as chairman of the commission.

SECTION 2. Duties.—The commission shall formulate, supervise and conduct a data processing program for the service of governmental units and agencies of Greenwood County. For this purpose the commission shall hire such personnel and incur such expenses as it deems necessary within its budget of income from contract service and appropriations by the county. The commission is authorized to con-

tract with governmental units and agencies other than the county for service to be rendered on a time-cost basis.

SECTION 3. Contracts with nongovernmental persons.—The commission may enter into contracts for the performance of services to nongovernmental persons or firms at agreed rates of compensation.

SECTION 4. Records.—The commission shall keep a full and accurate account of its acts and of its receipts and expenditures.

SECTION 5. May own and lease property.—The commission is authorized to own and lease property and equipment in the name of the county and to execute appropriate agreements thereabout.

SECTION 6. Repeal.—Act 257 of 1963 is repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1156, H2620)

No. 973

An Act To Provide That The Town Of Surfside Beach In Horry County May Clean Up Vacant Lots When The Owner Thereof After Notice Refuses To Do So And Assess The Owner For The Expenses Incurred; And To Make The Lien Created Apply As In Cases Involving Liens For Taxes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Surfside Beach may clean up vacant lots and assess owners.—The town of Surfside Beach in Horry County, ten days after sending written notice to the owner of any vacant lot within the corporate limits of the municipality that it has determined that the owner shall clean up such vacant lot to insure the public health and safety, may clean up the vacant lot if the owner has not done so and may assess the owner for the expenses incurred. The assessment shall constitute a lien upon the lot involved as in cases involving liens for taxes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1158, H2622)

No. 974**An Act Providing For The Licensing Of Persons Engaged In The Business Of Collecting Garbage In Orangeburg County And To Provide Penalties For Violation.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Persons collecting garbage in Orangeburg County to be licensed.—Any person, before engaging in the business of collecting garbage in Orangeburg County, within a radius of five miles from the city limits of the City of Orangeburg, shall apply to the governing body of the county for a license. The governing body of the county and the county health department shall investigate the applicant's equipment, schedule, rates, disposal facilities and method of operation and if they approve them the governing body may issue a license to the applicant. The annual license fee shall be one hundred dollars and shall be paid on or before the first day of July of each year. It shall be unlawful for any person to collect garbage in Orangeburg County within the area defined in this section without a license.

SECTION 2. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed one hundred dollars or imprisoned for a term not to exceed thirty days. Violation of this act shall not be considered as a continuing offense but each day that this act is violated shall be a separate and distinct offense.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1160, H2630)

No. 975**An Act To Amend An Act Of 1964 Bearing Ratification No. 957, Relating To The Ambulance Service District In Richland County, So As To Make The Provisions Thereof Applicable To Certain Out-Of-County Persons.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6 of Act 857 of 1964 amended—exemptions.—Section 6 of an Act of 1964 bearing Ratification No. 957 is amended by striking on line 2 “out-of-county or” so that when amended the section shall read as follows:

“Section 6. The provisions of this act shall not apply to any person franchised by the City of Columbia, governmental ambulance services, or such service rendered by and in conjunction with rest homes, sanitariums and similar institutions. Nor shall it apply to any private ambulance service with principal place of business outside of Richland County when transporting any person on a trip originating outside of Richland County.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1161, H2632)

No. 976

An Act To Amend Section 51-355 Of The 1962 Code, Relating To The Greenwood Recreation District And Commission, So As To Further Provide For The Commission's Powers.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 51-355 amended—additional powers.—Section 51-355 of the 1962 Code is amended by adding at the end the following: “The Commission is specifically authorized to accept membership from persons residing outside the geographic boundaries of the district and to charge such fees therefor as the Commission shall determine.” The section when amended shall read as follows:

“Section 51-355. In addition to the duties hereinabove set forth the Commission may purchase property, hold title to real estate, enter into contracts and leases in the name of the Greenwood Recreation District, receive gifts of land, money or other property and do such other things as shall be necessary and proper to carry out the duties hereby imposed upon it. The Commission is specifically authorized to accept membership from persons residing outside the geographic boundaries of the district and to charge such fees therefor as the Commission shall determine.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1162, H2634)

No. 977

An Act To Authorize The City Of Conway To Purchase The Horry County Water System; To Authorize The Governing Body Of Horry County To Convey And Sell The Horry County Water System To The City Of Conway; To Validate An Agreement; And To Authorize The City Of Conway To Sell Water Beyond The City Limits.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. City of Conway may purchase Horry County Water System.—The City of Conway is authorized to purchase and the Governing Body of Horry County is authorized to sell the Horry County Water System under such terms and conditions as have been or may be agreed upon. Such transaction shall also include the one acre site on which is located the water tank together with such tank and other improvements, water mains, lines and all other equipment used in conjunction with the System.

SECTION 2. Agreement validated.—The agreement entered into between the City of Conway and Horry County, captioned Water Works Lease-Purchase Agreement and dated July 27, 1962, is hereby validated.

SECTION 3. May sell water outside city limits.—The City of Conway is authorized to sell water to persons outside the city limits whether contiguous thereto or not for such periods of time and under such terms and conditions as it and such persons may agree upon.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1164, H2638)

No. 978**An Act To Require The Auditor Of Horry County To Include An Itemization Of The Tax Levy With All Tax Notices.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Tax notices to include itemized statement of levies.—All tax notices from the Auditor of Horry County to the taxpayer shall include an itemized statement of the tax levy showing the millage accruing to each item supported by such tax.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1165, H2640)

No. 979**An Act To Amend Section 65-1522 Of The 1962 Code, Relating To General Exemptions From Taxes, So As To Exempt Property In Lexington County Leased By The Department Of Corrections.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-1522 amended—exemption for certain property in Lexington County.—Section 65-1522 of the 1962 Code is amended by adding a new subsection, to read as follows:

“() *Certain Property in Lexington County leased by the Department of Corrections.*—All property located in Lexington County being leased by the Department of Corrections for rehabilitation of prisoners; *provided*, however, the exemption shall cease upon termination of the lease.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1166, H2637)

No. 980**An Act To Provide For Certain Marriage License Fees In Beaufort County And To Repeal An Act Of 1964 Bearing Ratification No. 959, Relating To Marriage License Fees In Beaufort County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Marriage license fees in Beaufort County.—Notwithstanding the provisions of Section 20-23 of the 1962 Code, the Judge of Probate of Beaufort County shall charge a fee of two dollars for each marriage license application and a fee of three dollars for each license issued.

SECTION 2. Act 859 of 1964 repealed.—The act bearing Ratification No. 959 of 1964 is hereby repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1167, H2654)

No. 981

An Act Adding Article 5 To Chapter 55 Of Title 14 Of The 1962 Code, To Be Composed Of Sections 14-3195 Through 14-3207, So As To Provide For A Purchasing Agent And Purchases In Pickens County And To Provide A Penalty.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Article 5 added to Chapter 55 of Title 14—Pickens County to have purchasing agent—procedure for purchasing—penalties.—Article 5 is hereby added to Chapter 55 of Title 14 of the 1962 Code to read as follows :

“ARTICLE 5

Section 14-3195. There shall be a purchasing agent for the county, to be elected by the County Board of Commissioners, who shall hold office for a term of two years or until his successor is elected and qualifies, such term to begin January 1, 1965. The purchasing agent may be removed for cause shown at any time during his tenure of office by a majority of the Board. Upon his election and before assuming the duties of his office, he shall file a bond in the sum of five thousand dollars for the faithful performance of his duties. His compensation shall be provided for in the county appropriations act.

Section 14-3196. All officers, departments, institutions, agencies and associations shall annually, on or before March fifteenth, compile

estimates of all non-exempted supplies, materials and equipment required by it for the next succeeding fiscal year. They shall further endeavor to reduce to a minimum the number of kinds, sizes and varieties of commodities purchased for their respective uses with a view to serving satisfactorily the purpose contemplated, yet securing the widest practicable measure of competition consistent with those purposes. The county purchasing agent shall have the authority to finally fix requirements and specifications for such items and to that end shall, where necessary and proper, procure the assistance, advice and cooperation of any qualified representative or technician of any county, state or federal agency, institution or private or commercial technician.

Section 14-3197. The purchasing agent shall purchase all supplies, materials and equipment to be used by the county or any officer or any department thereof which are paid for from the public funds of this county unless exempted under the terms hereof. Purchases will be made in as large quantities as practicable consistent with the nature of the article and the money and storage space available. All purchases made by the agent in an amount in excess of five hundred dollars shall bear the approval of the County Board of Commissioners and wherever practicable shall be purchased upon the lowest bid or when not purchased on lowest bid, then at the lowest price available. Any officer, head of department or agency of the county requiring supplies, material or equipment shall first file a written requisition with the agent upon forms to be furnished, giving in detail a sufficient description of the articles or items needed together with such other information as the agent may require. No payment for any supplies shall be made from the county funds unless the purchase thereof shall have been made as herein specified; *provided*, however, purchases may be authorized by the county legislative delegation from the contingent fund of the county.

Section 14-3198. Supplies, materials and equipment listed below are exempted from the purchasing procedures prescribed in this article. Whenever possible, these purchases must be made pursuant to competitive bidding and always with a view to securing every practicable advantage to the county. Records of all purchases of 'exempted' commodities shall be kept by such officer, department, institution, agency or association and made available for review by a county audit. The supplies, materials and equipment are:

- (1) All foodstuffs;
- (2) Medical, dental and optical supplies, instruments and prescription items;

(3) Technical instruments, supplies, books and other printed matter on technical subjects;

(4) Library books, pamphlets, maps, periodicals;

(5) All supplies, materials and equipment required by Pickens County School District A or Pickens County Board of Education; and

(6) Any supplies, materials and equipment costing less than twenty-five dollars; *provided*, that the officer, department, institution, agency or association has only an occasional need therefor so as to render it impracticable to buy in quantity or under price agreement contracts.

Insofar as practicable, drugs and medicines shall be purchased on a competitive basis by generic name.

Section 14-3199. The county purchasing agent shall establish and compile an eligible list of bidders by advertising in at least one newspaper of general circulation in the county for a period of two consecutive weeks in June of each year setting forth a list of supplies, materials and equipment estimated to be required as a result of the annual estimate required by Section 14-3196 and giving notice of the establishment of a listing; *provided*, however, that advertisement may also be made by radio if considered desirable by the County Board of Commissioners. He shall also give notice to those suppliers having done business with the county during the preceding year. Suppliers desiring to be notified of each letting of bids may register their desire with the county purchasing agent, indicating the particular item on which they will be interested in bidding, and thereafter the purchasing agent shall notify each supplier of a request for bids for the items, supply specifications and the like; *provided*, however, that this shall constitute a courtesy service only and no liability shall be created against the county by reason of the failure of the purchasing agent to notify any supplier having registered his request for notification.

Section 14-3200. All supplies, materials and equipment shall be purchased hereunder with a view, first, to serving satisfactorily the purpose in contemplation and, second, to securing the widest practicable measure of competition consistent with that purpose. The procedure in making purchases shall be adapted to the circumstances in each case, but in general one or a combination of the following plans shall govern:

(1) Wherever the supplies, material or items of equipment proposed to be purchased have an estimated cost of not more than five hundred dollars and can be described so that all bidders will base their

proposals on furnishing articles of identical quality, descriptive notices inviting bids shall be distributed by mail in accordance with Section 14-3199. If the estimated cost of such items exceeds five hundred dollars, advertisement of the notice shall be published, under appropriate heading, in a newspaper of general circulation in the county for a period of two consecutive weeks and notice distributed by mail in accordance with Section 14-3199; *provided*, however, that advertisement may also be made by radio if considered desirable by the County Board of Commissioners. All awards shall be to the lowest responsible bidder whose bid was made as required taking into consideration the quality of the articles to be supplied, their conformity with the prescribed requirements and the purpose for which they are required. In case no bids are received or there is evidence of collusion among the bidders for the purpose of fixing the price of the items proposed to be purchased, then the purchasing agent may reject such bids and proceed to negotiate purchase contracts with individual firms so as to gain any available advantage either in price or conditions.

(2) In purchasing supplies, materials or items of equipment that are controlled by virtue of patents or copyrights so that competition is impracticable, or where the articles proposed to be purchased are produced and offered for sale by fewer than three reputable firms eligible to offer their products in direct competition, informal purchase negotiations may be undertaken by the purchasing agent and purchase awards may be made as a result of such negotiations; *provided*, that if the purchase involves more than five hundred dollars the award must be approved by the County Board of Commissioners and shall be accompanied by a statement describing the procedure followed.

(3) Supplies, materials and items of equipment necessarily purchased in order to replace parts of existing equipment and structures, which can be supplied only by the manufacturer of the original equipment or structure or by his authorized dealer or agent, may be purchased without formality; *provided*, that the purchasing agent shall take advantage of every opportunity to economize by securing the best agreement practicable. In such cases complete records of the transactions shall be maintained for review on audit.

(4) In cases of emergency, as may be determined by the County Board of Commissioners and subject to confirmation by the Board, supplies, materials and items of equipment may be purchased without formality; *provided*, that in all cases of such emergency purchases, complete records shall be kept and the matter reported to the county

legislative delegation; *provided*, further, that notwithstanding the provisions of this section, the operator of any county machine or vehicle or his immediate supervisor may purchase emergency parts or have emergency repairs performed upon such machine or vehicle under his care or control, such purchases or repairs not to exceed the sum of seventy-five dollars and he shall require that an itemized bill be furnished him for such parts or repairs, shall sign such bill and shall report the matter to the purchasing agent at his first opportunity.

(5) This section in no way prohibits the purchasing agent from purchasing any supplies, materials and items of equipment through the Purchasing and Property Division of the State Budget and Control Board, in cooperation with the South Carolina State Highway Department or any other state or federal governmental agency or department, which purchases may be made without asking and advertising for bids as provided in this section.

Section 14-3201. With respect to purchases or purchase contracts covered by this article which involve less than five hundred dollars, bids need not be sealed and may be in the form of price quotations and received informally. As to purchases covered by this article which involve over five hundred dollars, such bids shall be sealed and opened publicly at the place and time designated in the notice of bid. No bids or price quotations shall be received after the time designated and they shall be promptly tabulated. Failure to award to the low bidder shall be explained in writing and made a part of the record of the purchase. All bids, tabulations and other information shall be filed with each notice of bid and be retained for at least two years and available for public inspection at reasonable times.

Section 14-3202. The county treasurer shall not honor any voucher for the payment of any supplies, materials or items of equipment which shall have not first been approved for payment by the purchasing agent unless otherwise authorized herein. No officer, employee or department shall submit any voucher for payment by the treasurer for such items which shall not have been first approved for payment by the purchasing agent.

Section 14-3203. The purchasing agent shall, at reasonable intervals, visit the county chain gang and other institutions, departments and agencies, personally checking the needs and requirements of officers or departments and keep himself informed of the needs and uses for all purchases. He shall further determine the existence of

surplus or obsolete property which should be disposed of in the best interest of the county.

Section 14-3204. An account shall be maintained for every officer, department or agency and an itemized account kept of the purchases therefor. At the close of each quarter, a statement of the same shall be compiled and furnished each member of the County Board of Commissioners and of the county legislative delegation.

Section 14-3205. The county purchasing agent shall also be responsible for the sale of surplus or obsolete property owned by the county. All county officers, institutions, departments or agencies shall determine periodically whether they have any surplus or obsolete property of value which could be sold and shall notify the county purchasing agent, furnishing a description of the property. He shall then advertise it for two consecutive weeks in a newspaper of general circulation in the county and shall mail descriptive notices to all known interested parties inviting bids therefor. Every effort shall be made to secure as wide competition as possible. All sales shall be to the highest bidder for cash. All bids shall be promptly tabulated and records of the sales hereunder shall be maintained for inspection. The proceeds of the sales shall be turned over to the general fund of the county.

Section 14-3206. Wherever deemed to the economic advantage of the county, supplies, vehicles or equipment may be offered for a trade-in allowance on other supplies, vehicles or equipment being purchased. In such cases, any bid notices or invitations distributed or advertised shall clearly describe the supplies, vehicles or equipment being offered for trade-in allowance and obtain alternate bids, both with and without a credit for such allowance.

Section 14-3207. Any violation on the part of any officer, employee or agent of the county of any provision of this article shall constitute a misdemeanor and upon conviction the officer, employee or agent shall be subject to a fine or imprisonment in the discretion of the court."

SECTION 2. Time effective.—This act shall take effect on January 1, 1965.

Approved the 17th day of April, 1964.

(R1169, H2698)

No. 982**An Act To Amend Section 65-2123 Of The 1962 Code, Relating To, Among Other Things, The Tax Collector In Hampton County, So As To Increase His Term Of Office From Two To Four Years.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-2123 amended—tax collectors in Abbeville and Hampton Counties—terms and vacancies.—Section 65-2123 of the 1962 Code is amended by striking the word “two” on line 7 and by inserting in lieu thereof the word “four” so that when amended the section shall read as follows :

“Section 65-2123. The term of office of the tax collector in office in Abbeville County under this article on February 9, 1950 shall extend to January 1 1953, and thereafter the regular term of office shall be four years, commencing on the first day of January. The term of office of the tax collector in office in Hampton County on April 11 1960 shall extend to June 30 1961, and thereafter the regular term of office shall be four years, commencing on the first day of July. Each such tax collector shall hold the office and perform the duties thereof until his successor shall be appointed and qualified. He may be removed for cause at any time by the Governor, except that in Hampton County he shall be removed only upon recommendation of the county legislative delegation. All vacancies in said office for any cause shall be filled by the Governor for the unexpired term in the manner provided in this article.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1170, H2644)

No. 983**An Act To Amend Section 15-942 Of The 1962 Code, As Amended, Relating To The Drawing Of Juries In Certain Municipalities, So As To Include The Towns Of St. George And Summerville In Dorchester County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-942 to apply to Towns of St. George and Summerville.—The provisions of Section 15-942 of the 1962

Code, as amended, shall be applicable to the Towns of St. George and Summerville in Dorchester County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1171, H2652)

No. 984

An Act To Amend Act No. 225 Of 1963, Relating To The Area Committee Of The Technical Education Center For Florence And Darlington Counties, So As To Provide That It Shall Be a Body Politic.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 225 of 1963 amended—appointments ratified—area committee to administer program—composition of.—Section 2 of Act No. 225 of 1963 is amended by adding between the words “Committee” and “shall” on the sixth line the following: “shall be a body politic and corporate and”. When amended the section shall read as follows:

“Section 2. The appointment of the members of the Area Committee is hereby ratified and confirmed, and the Area Committee shall constitute the administrative agency to administer the program of vocational and technical education in Darlington and Florence Counties under Article 7, Chapter 15, Title 21, of the 1962 Code. The Area Committee shall be a body politic and corporate and shall consist of nine members, who shall be qualified registered electors of Darlington and Florence Counties; *provided*, that not more than five members may be registered qualified electors of one county. The appointment to office of the Area Committee shall be made by the Governor upon the recommendation of a majority of the legislative delegation, including the Senator, from the county of which the appointee is a resident. Upon the expiration of the terms of office of the present members of the Area Committee, their successors shall be appointed for terms of three years in the manner provided for in this section. If any vacancy shall occur, a successor shall be appointed by the Governor, upon the recommendation of a majority of the legislative delegation, including the Senator, from the county of which

the appointee is a resident, for the unexpired portion of the term. The members of the Area Committee shall hold office until their successors are appointed and qualify."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1172, H2653)

No. 985

An Act To Amend Section 14-400.1011 Of The 1962 Code, Relating To Building Information Filed With The Auditor In Pickens County, So As To Require Public Or Private Utility Companies And Rural Electric Cooperatives To File New Connection Reports With The Auditor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-400.1011 amended—construction information required in Pickens County—electrical connections to be reported.—Section 14-400.1011 of the 1962 Code is amended by adding a new paragraph at the end thereof to read as follows:

"All public or private utility companies and rural electric cooperatives making a new connection of electrical energy to a building requiring a permit in Pickens County shall report to the county tax auditor's office, on or before the tenth of each month, the location of each connection." When amended the section shall read as follows:

"Section 14-400.1011. Any person who intends to construct any new building or any addition to an existing building in Pickens County, which construction shall cost one thousand dollars or more, shall obtain from the auditor of the county, or other persons or firms designated by the auditor, a construction information return which shall be executed and returned to the auditor before any construction shall be commenced.

All public or private utility companies and rural electric cooperatives making a new connection of electrical energy to a building requiring a permit in Pickens County shall report to the county tax auditor's office, on or before the tenth of each month, the location of each connection."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1173, H2655)

No. 986

An Act To Amend Section 15-1913 Of The 1962 Code, Relating To The Auctioneer In Pickens County, So As To Increase His Compensation From Three To Five Dollars For Conducting Each Sale.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-1913 amended—office of auctioneer created for Pickens County.—Section 15-1913 of the 1962 Code is amended by striking the word “three” on line 8 and inserting in lieu the word “five” so that when amended the section shall read as follows:

“Section 15-1913. The office of auctioneer for Pickens County is hereby created. The auctioneer shall be appointed by the Governor upon the recommendation of a majority of the members of the county legislative delegation, and shall serve for two years, and until his successor shall have been appointed as provided for herein. He shall act as auctioneer in all judicial sales, tax sales, or sales under levy and execution. He shall receive as compensation for his services the sum of five dollars for conducting each sale, which shall be taxed as other costs in the action or proceeding are taxed. In the event that the auctioneer is disqualified or incapacitated to conduct any sale, he may designate some person to act in his place and stead.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1176, H2658)

No. 987

An Act To Amend Section 65-2810.1 Of The 1962 Code, Relating To Delinquent Taxes In Anderson County, So As To Change The Interest Thereon.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-2810.1 amended—interest on delinquent taxes in Anderson County.—Section 65-2810.1 of the 1962 Code is amended to read as follows:

“Section 65-2810.1. After the Treasurer of Anderson County has issued his Tax Execution for Delinquent Taxes, assessments and penalties against the property of a defaulting taxpayer, interest of three per cent on the amount of the execution shall be charged for each six months or fraction thereof that such execution is unsatisfied. *Provided*, that all such interest collected by him shall be turned over to the treasurer of the county as a part of the general county fund.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1177, H2660)

No. 988

An Act To Amend Section 14-711 Of The 1962 Code, Relating To The Compensation Of Certain Officials Of Abbeville County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-711 amended—certain officials in Abbeville County to receive salaries in lieu of fees.—Section 14-711 of the 1962 Code is amended by striking the last sentence and inserting in lieu thereof the following: “The amount of such salaries shall be provided in the annual county appropriations act.” The section when amended shall read as follows:

“Section 14-711. In lieu of the retention of fees, costs and charges, the clerk of court of common pleas and general sessions, register of mesne conveyances, sheriff, judge of probate, county treasurer and county auditor shall receive annual salaries, payable one twelfth monthly. The amount of such salaries shall be provided in the annual county appropriations act.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1178, H2661)

No. 989**An Act To Authorize The Governing Bodies Of The City Of Columbia And Of Richland County To Enter Into Agreements For The Purpose Of Eliminating Duplicate Services.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. City of Columbia and Richland County may eliminate duplicate services.—The Governing Bodies of the City of Columbia and of Richland County are authorized to enter into agreements from time to time for the purpose of eliminating duplicate services.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1181, H2669)

No. 990**An Act To Provide That All Persons, Except Governmental Agencies, Owning A Parcel Of Land In Richland County Which Is Exempt From Taxation Shall File An Annual Return Thereof; To Provide For The Examination Of Such Returns As To The Tax Exempt Status; And To Provide For Appeals.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland County—returns to be made of property exempt from taxes.—All persons, except governmental agencies, owning parcels of land in Richland County which are exempt from taxation shall file an annual return of the property so exempt with the county auditor before March first. Such return, on forms to be furnished by the auditor, shall contain a narrative description of the use being made of such property.

SECTION 2. Examination and determination of returns.—The county auditor and the county assessor shall examine such returns and make a determination as to whether or not such exempt property is still entitled to a tax exempt status. The owner of any such property so determined to be subject to taxation shall be notified of such determination. Any owner feeling aggrieved thereby shall have the

right to appeal by using the same procedure provided for appeals from other determinations of the assessor for Richland County.

SECTION 3. Evidence property not entitled to be exempt.—

The failure of any person to comply with the provisions of this act shall constitute *prima facie* evidence that such property is no longer entitled to be tax exempt.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1183, H2672)

No. 991

An Act To Add Section 56-1566.1 To The 1962 Code So As To Allow The Board Of Veterinary Examiners To Make Rules And Regulations For The Reciprocal Recognition Of Licenses Issued By Other States.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 56-1566.1 added—reciprocity of licenses.—Section 56-1566.1 is added to the 1962 Code which shall read as follows :

“Section 56-1566.1. The Board may make and establish all necessary rules and regulations for the reciprocal recognition of licenses issued by other state boards having an equal standing.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1185, H2684)

No. 992

An Act To Amend An Act Of 1964 Bearing Ratification No. 872, Relating To Building Permits And Electrical Connections In Florence County, So As To Make The Provisions Applicable To Additional Distributors.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 806 of 1964 amended—electricity not to be furnished without permit.—Section 2 of an act of 1964 bearing Ratification No. 872 is amended by inserting after the word “Companies” on line one the following: “, cooperatives or other entities”, so that when amended the section shall read as follows:

“Section 2. Companies, cooperatives or other entities distributing electrical energy shall, prior to connecting and providing any of their services to any building being constructed in Florence County, ascertain that a building permit has been issued for the construction of the building by the county tax assessor, and any such company that fails to ascertain that a building permit has been issued prior to connecting and providing electrical services, shall, upon conviction of such failure, be fined not more than one hundred dollars or be imprisoned for not more than thirty days.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1186, H2686)

No. 993

An Act To Create The Commission For Technical Education For Horry County And To Define Its Functions, And To Repeal Act 358 Of 1963, Relating To The Commission For Technical Education For Horry And Marion Counties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Sections 21-701 through 21-703 of the 1962 Code, a program looking to the establishment of adequate vocational and technical education facilities in the State, intended to coordinate with the industrial expansion of South Carolina, was instituted on a basis requiring cooperation between the State agency therein created and counties or areas within the State. It is specifically required therein that in order for any county or area to comply with the program and thus to receive the benefits of the program, it must make available, and operate adequate facilities, and at the same time provide for adequate local supervision.

SECTION 2. Horry Commission for Technical Education created.—There is hereby created, as an administrative agency of

Horry County, a commission to be known as the "Horry Commission for Technical Education" (hereinafter referred to as the "Commission"), which shall consist of six qualified registered electors of the county. All appointments to office of the Commission shall be made by the Governor, upon the recommendation of a majority of the legislative delegation, including the Senator. Of those first appointed, two members shall have terms of one year each, two members shall have terms of two years each, and two members shall have terms of three years each. Thereafter, their successors shall be appointed for terms of three years in the same manner as those originally appointed. If any vacancy shall arise, a successor shall be appointed by the Governor for the balance of the unexpired term in the same manner as the original appointments were made. The members of the Commission shall hold office until their successors shall have been appointed and shall qualify. Initial terms of office shall commence July 1, 1963, notwithstanding that a delay in making appointments shall lessen the duration of the terms of office. As soon as the initial appointments have been made, the Commission shall organize by electing one of its members as chairman, another as vice-chairman, and a third as secretary. A transcript of the record of the initial organization shall be filed with the clerk of court in order to reflect the initial membership of the Commission and those who shall become its officers. *Provided*, that the present members and officers of the Horry-Marion Technical Education Commission from Horry County are hereby designated as members of the Commission and shall hold office for the term for which each was originally appointed or elected.

SECTION 3. Duties.—The Commission shall provide for the creation, maintenance, and operation of a technical educational center. The county shall provide the funds necessary to construct and maintain the center, the ownership of which shall revert to the governing body of Horry County in the event of dissolution of the Commission. There shall be developed and carried out at such center the following:

1. A program coordinated with our industrial expansion effort which will provide immediate training for established industries and provide immediate training for particular industries in accordance with Sections 21-701 through 21-703 of the 1962 Code.

SECTION 4. Powers.—When funds are appropriated by the General Assembly the Commission is authorized and empowered to do all

things necessary or convenient to promote the objects of the program instituted by Sections 21-701 through 21-703 of the 1962 Code, and without in any way limiting the generality of the foregoing, shall be empowered as follows:

1. To adopt and use a corporate seal.
2. To adopt such bylaws, rules and regulations for the conduct of business and the expenditure of appropriated funds as it may deem advisable.
3. To acquire by gift, or purchase, or otherwise, all kinds and descriptions of real and personal property.
4. To accept gifts, grants, donations, devises and bequests.
5. To provide appropriate supervision of the maintenance of any facility established to promote vocational or technical education.
6. To provide the necessary administrative services required by the State Program.
7. To employ such personnel as may be necessary to enable the Commission to fulfill its functions.
8. To establish, promulgate, and enforce reasonable rules and regulations, in conjunction with those promulgated by the State agency for the operation of its facilities.
9. To operate its affairs on a fiscal year coinciding with that of the two counties involved.
10. To expend any funds received in any manner, including the proceeds derived from any bonds which may be issued by Horry County to defray any costs incident to the establishment of adequate facilities for the program, and thereafter to expend such funds as may be appropriated for the operation, maintenance, and improvement of the facilities.
11. To apply for, receive, and expend moneys from all governmental agencies, both State and Federal.
12. To exercise all powers contemplated for local agencies by Sections 21-701 through 21-703 of the 1962 Code, and all other laws modifying, amending or implementing it; *provided*, the Commission shall not cause any encumbrance to be put on any property under its control.

SECTION 5. Records and audit.—The Commission shall at all times keep full and accurate account of its acts and of its receipts and expenditures, and at least once within four months, following the close of its fiscal year, a complete audit of its affairs shall be made by

a qualified public accountant. Copies of the audit shall be filed with the secretary of the county legislative delegation.

SECTION 6. Reports.—Not less frequently than annually the Commission shall make a written report of the activities of the Commission and file a copy with each member of the legislative delegation.

SECTION 7. Repeal.—Act 358 of 1963 is repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1187, H2687)

No. 994

An Act To Amend Section 5-103 Of The 1962 Code, As Amended, Relating To, Among Other Things, Athletic Sports, So As To Further Define The Term "Athletic Sports."

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 5-103 amended—athletic sports defined.—Section 5-103 of the 1962 Code, as amended, is further amended by adding at the end thereof the following :

"The words 'athletic sports' as used in this section shall mean, but not be limited to, football, baseball, softball, basketball, soccer, polo, hockey, motor sports, swimming, golf, tennis, ice skating, roller skating and bowling."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1191, S842)

No. 995

An Act To Amend Sections 21-3101 And 21-3103 Of The 1962 Code, As Amended, Relating To The Jasper County Board Of Education And The Trustees Of The Jasper County School District, So As To Further Provide Therefor And To Provide For A County Supervisor Of Curriculum And Instruction.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-3101 amended—Jasper County Board of Education—appointments—terms—vacancies.—Section 21-3101 of the 1962 Code, as amended, is further amended to read:

“Section 21-3101. The Board of Education of Jasper County shall be composed of nine members who shall be appointed by the Governor upon the recommendation of a majority of the legislative delegation. One member shall be appointed from each township, four members shall be appointed from the county at large, and the superintendent of education shall be a member, ex officio, with the right to vote, and shall also serve as secretary. The initial appointees shall have the following terms: three for two years, three for three years, and two for four years; thereafter, all terms shall be for four years. Any vacancies shall be filled for the unexpired term only, in the manner of the original appointments.”

SECTION 2. Section 21-3103 amended—Jasper County to have one school district—trustees—terms—vacancies—appointments.—Section 21-3103 of the 1962 Code, as amended, is further amended to read:

“Section 21-3103. All school districts in Jasper County are consolidated into one district. The new district shall have a board of twenty-one trustees who shall be appointed by the county board of education for terms of two years. Any vacancies shall be filled for the unexpired term only, in the manner of the original appointments. Three trustees shall be appointed from and represent each of the following areas: Ridgeland High and Elementary, Jasper High and Elementary, Hardeeville High and Elementary, West High and Elementary, Grays High and Elementary, Tillman Elementary and Robertsville Elementary. The areas shall be numbered one through seven respectively. The county board of education shall have veto powers over all acts and actions of the board of trustees.”

SECTION 3. Office of Supervisor of Curriculum and Instruction created.—There is hereby created the office of Supervisor of Curriculum and Instruction for Jasper County. He shall cooperate with the principals of the schools of the county, the board of trustees, and the county board of education, supervise the implementation of the curriculum, note the methods of instruction and give such recommendations in the art of teaching as will best secure effective pupil-teacher relationship in the schools of the district. The county

board of education shall employ the supervisor, fix his term of office, salary and promulgate rules and regulations governing his duties.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1192, H2432)

No. 996

An Act To Provide A Code Of Military Justice For The National Guard Of South Carolina, And To Repeal Chapter 1 Of Title 44 Of The Code Of Laws Of South Carolina, 1962.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Code of Military Justice for National Guard.—The following shall constitute Chapter 1 of Title 44 of the Code of Laws of South Carolina, 1962, and shall be codified as herein set forth :

“CHAPTER 1
THE MILITARY CODE

ARTICLE 1
General Provisions

Section 44-1. Definition of terms. Wherever used in this chapter, the word(s)

(1) *Officer*—Shall be understood to include commissioned officers and warrant officers, unless otherwise specified.

(2) *Enlisted Men*—Shall be understood to designate members of the National Guard of this State other than officers and warrant officers.

(3) *Adjutant General*—Shall be understood to be the Adjutant and Inspector General.

(4) *The Assistant Adjutant General*—Shall be understood to be the Assistant Adjutant and Inspector General.

(5) *Military Department*—Shall be understood as any office or activity of the State that controls or coordinates the activities of the militia, or any part of the militia.

(6) *National Guard*—Shall be understood to include the organized militia, both Army and Air.

(7) *Air National Guard*—Shall be understood to include those units of the organized militia that are Air Force type units and that are organized and trained as a Reserve of the United States Air Force.

(8) *Army National Guard*—Shall be understood to include those of the organized militia that are Army type units and that are organized and trained as a Reserve of the United States Army.

(9) *Military Fund*—Any and all monies appropriated by the General Assembly for the support of the militia and such other revenues as may be collected by the Military Department for military purposes.

(10) *State Duty*—Duty performed by the militia, or any part of the militia, when such duty is ordered by proper State authority, in the event of war, insurrection, invasion, or imminent danger thereof, breach of the peace, tumult, riot, public disaster, or resistance to process.

(11) *State Status*—Shall be understood to mean the military status of a member of the National Guard when not in the active military service of the United States.

(12) *Unit*—In the Army National Guard, shall be understood to be a company, battery, troop, detachment, or similar size Federally recognized entity, except that a headquarters is not to be construed as a unit.

In the Air National Guard, it shall be understood to be a single military organization having a mission, function, and a structure prescribed by competent authority.

(13) *Organization*—Any military element of the South Carolina Army National Guard composed of a headquarters with its assigned or attached subordinate commands. (Example—Battalions, Groups, Brigades and higher commands.)

(14) *USPFO*—Shall mean United States Property and Fiscal Officer.

(15) *Federal Recognition or Federally Recognized*—Shall mean acknowledgment by the Secretary of the Air Force or the Secretary of the Army that an individual has been appointed to an authorized grade and position vacancy appropriate to his qualifications in the Air National Guard or the Army National Guard, and that he meets the prescribed Federal requirements for such grade and position.

(16) *Fully Qualified*—Shall mean that an individual meets all physical, moral and professional requirements as may be prescribed by the United States Code, the National Guard Bureau and such

other requirements that are or may be made a part of the Military Code of South Carolina and in addition that he has demonstrated qualities of leadership, ability and potential for appointment or promotion to the next higher grade.

(17) *Commissioned Staff*—Officers assigned to a headquarters by TO/E to assist a commander in his exercise of command. The commander is not to be included in a 'commissioned staff.'

Section 44-2. Act of Congress accepted.

The act of Congress approved June 3, 1916, entitled 'An Act Making Further and More Effectual Provisions for the National Defense and for Other Purposes' and all acts presently amendatory thereto, the future amendatory acts thereof being subject to the approval of the State legislature, is hereby accepted by this State and the provisions of said act and amendments thereto are made a part of the military code. (Ref: Titles 32 & 10, United States Code).

Section 44-3. Militia to conform to Federal laws.

The Governor shall cause the National Guard of South Carolina always to conform to all such Federal laws and regulations as may from time to time be operative and applicable except where in conflict with the laws of this State.

Section 44-4. When Uniform Code of Military Justice applicable.

Whenever any portion of the militia of the State shall be on duty under or pursuant to orders of the Governor or whenever any part of the militia shall be ordered to assemble for State duty, the systems and procedures established in the Uniform Code of Military Justice for the governing of military forces, so far as applicable and not in conflict with any rule or regulation herein prescribed, shall be considered in full force and regarded as a part of this Chapter until such forces shall be duly relieved from such duty, except that nothing in this section shall be construed as relinquishing the State's authority and jurisdiction in such matters. No punishment under this section extending to the taking of life shall in any case be inflicted except in time of actual war, invasion or insurrection declared to exist by proclamation of the President of the United States or the Governor of this State, and then only after the approval of such sentence by the Governor. The Governor shall review the findings of all General Courts-Martial convened during such situations hereinabove recited.

Section 44-5. Rules and Regulations.

The Governor shall promulgate such rules and regulations and amendments thereto not inconsistent with law as he may deem necessary.

Section 44-6. Composition and classes of militia.

The militia of the State shall consist of all able-bodied male citizens of the United States and all other able-bodied males who have declared their intention to become citizens of the United States, residing within this State, who shall be over seventeen years of age. The militia shall be divided into two classes, the National Guard and the unorganized militia.

Section 44-7. National Guard.

The National Guard of South Carolina shall consist of the commissioned officers, warrant officers, enlisted men, organizations, staffs, units, and departments of the regularly commissioned, warranted and enlisted militia of the State, organized and maintained pursuant to law.

Section 44-8. Services within State of military forces from without the State.

No armed military force from another state, territory or district shall be permitted to enter the State for the purpose of doing military duty therein without the permission of the Governor, unless such force is part of the United States Army or is acting under the authority of the United States Government.

Section 44-9. Unauthorized wearing of military order badge, button, etc.

Any person who shall wilfully wear the badge, button, insignia or rosette of any military order or who shall use any such badge, button, insignia or rosette to obtain aid or assistance or any other benefit or advantage, unless he shall be entitled so to wear or use the same, shall be guilty of a misdemeanor.

Section 44-10. Pension of members of militia disabled in service of State.

Every member of the National Guard of South Carolina who shall be wounded or disabled while on duty in the service of the State or while reasonably proceeding to or returning from such duty shall be taken care of and provided for at the expense of the State, and,

if permanently disabled, shall receive the like pensions or rewards that persons under similar circumstances in the military service of the United States receive from the United States. But no pension shall be granted by the State for any disability received while in the service of the United States or while proceeding to or returning from such service. Before the name of any person is placed on the pension roll under this section proof shall be made, under such regulations as the Governor may from time to time prescribe, that the applicant is entitled to such pension.

Section 44-11. Organization of military corporations.

The officers, the enlisted men, or the officers and enlisted men of any organization or unit of the National Guard of South Carolina may organize themselves into a corporation for social purposes and for the purpose of holding, acquiring and disposing of such property, real and personal, as such military organizations may possess or acquire. Such corporation shall not engage in business and shall not be required to pay any filing or license fee to the State.

Section 44-12. Effect of disbandment of organization.

The dissolution or disbandment of any such unit as a military organization shall not operate to terminate the existence of any such corporation but its existence shall continue for the period limited in its articles of incorporation for the benefit of such corporation. Upon the dissolution or disbandment of any such unit which shall not have incorporated and which shall at the time of such dissolution or disbandment possess any funds or property, the title to such funds or property shall immediately vest in the State and the Adjutant General shall take possession thereof and dispose of the same to the best interest of the National Guard of South Carolina.

Section 44-13. Military organizations at Charleston not affected.

Nothing contained in this chapter shall interfere with or affect any franchise or corporate right held by any military organization of the city or county of Charleston; nor shall it affect the levy of taxes within Charleston County for the maintenance and support of any military organization thereof.

ARTICLE 2

Military Department

Section 44-21. Administration of State Militia.

The militia of the State not in the service of the United States shall be governed and its affairs administered pursuant to law by the Governor, as Commander-in-Chief, through the Military Department, which shall consist of the Adjutant General as its executive head, assistant Adjutants General, and such other officers and such enlisted men and civilian employees as the Adjutant General shall from time to time prescribe.

Section 44-22. The Adjutant General; election and term; chief of staff; salary.

There shall be an Adjutant General elected by the qualified electors of this State at the same time and in the same manner and for the same term of office as other State officials. His rank shall be that of Major-General. He shall hold office until his successor is elected and qualifies. He shall be ex officio chief of staff. His salary shall be as prescribed in the annual appropriations act.

Section 44-23. Bond of Adjutant General and other officers.

Before entering upon his official duties, the Adjutant General shall execute an official bond running to the State in the penal sum of ten thousand dollars, conditioned upon the faithful performance of his duties, such bond to be submitted to the Attorney General for approval and when approved to be filed in the office of the Secretary of State. The cost of such bonds shall be paid from the military fund of the State. The Adjutant General shall obtain and pay for, from the military fund, surety company bonds running to the State, in such amounts as prescribed by the Adjutant General, covering all the officers of the National Guard of South Carolina responsible to the State for money or military property, such bonds to be approved and filed in the same manner as the Adjutant General's bond.

Section 44-24. Vacancies in Office.

If the Office of Adjutant General is vacated because of the death, resignation or retirement of the Adjutant General prior to the normal expiration of his term of office, the Governor shall appoint an officer of the active South Carolina National Guard, who is of field grade rank or higher and who has a minimum of fifteen years' active commissioned service in the South Carolina National Guard, to fill out

the unexpired term of the former incumbent. The appointee, upon being duly qualified, shall be subject to all the duties and liabilities incident to the office and receive the compensation provided by law for the Adjutant General during his term of service.

Section 44-25. General powers and duties of Adjutant General.

The Adjutant General shall:

(1) Appoint the civilian employees of his department and he may remove any of them at his discretion; (2) Keep rosters of all active, reserve and retired officers of the militia of the State, keep in his office all records and papers required to be kept and filed therein and submit to the Governor each year a printed annual report of the operations and conditions of the National Guard of South Carolina; (3) On the first day of July of each year, make a statement of the condition of the military fund, showing the amount thereof and setting forth in detail all receipts from whatsoever source and all expenditures of whatsoever nature and the unexpended balance thereof; (4) Cause the military law, the regulations of the National Guard of South Carolina and such other military publications as may be necessary for the military service to be distributed at the expense of the State to commands so that all personnel of the National Guard of South Carolina will have access to same; (5) Keep records on and preserve all military property belonging to the State; (6) Keep just and true accounts of all moneys received and disbursed by him; (7) Attest all commissions issued to military officers of this State; (8) Prepare and transmit all militia reports, returns and communications prescribed by acts of Congress or by direction of the Department of Defense; (9) Have a seal; (10) Make such regulations pertaining to the preparation of reports and returns and to the care and preservation of property in possession of the State for military purposes, whether belonging to the State or the United States, as in his opinion the conditions demand; (11) Attend the care, preservation, safekeeping and repairing of the arms, ordnance, accoutrements, equipment and all other military property belonging to the State or issued to the State by the government of the United States for military purposes, and keep accurate accounts thereof; (12) Issue such military property as the necessity of the services require and make purchase for that purpose. No military property shall be issued or loaned, except upon an emergency, to persons or organizations other than those belonging to the National Guard of South Carolina except to

such portions of the unorganized militia as may be called out by the Governor; (13) Keep the reports and returns of troops and all other writings and documents required to be preserved by the State Military Headquarters; (14) Keep necessary records attesting to the service of individuals of South Carolina forces for the Spanish American War and all subsequent wars and insurrections. The Adjutant General is authorized to make a determination as to when old records have only historical value, and, therefore, transfer them to the State Archives Department for reference and preservation; (15) Those records and relics not required for efficient operation of the Military Department may be turned over to the Archives Department for preservation.

Section 44-26. Rules and Regulations.

The Adjutant General, with the approval of the Governor, may make such rules and regulations, not in conflict with the laws of this State, from time to time as he may deem expedient, and when promulgated such rules and regulations shall have full force and effect as the military code of the State. But the rules and regulations in force at the time of the passage of this Code shall remain in force until new rules and regulations are approved and promulgated.

Section 44-27. Seal and effect thereof.

The seal used in the office of the Adjutant General shall be the seal of his office and shall be delivered by him to his successor. Where deemed appropriate orders issued from his office shall be authenticated with such seal and copies, orders, records and papers in his office, duly certified and authenticated under such seal, shall be evidence in all cases in like manner as if the originals were produced.

Section 44-28. Assistant Adjutant General for Army.

There shall be an Assistant Adjutant General for Army, with the rank of Brigadier General, who shall be an assistant to the Adjutant General and who shall be appointed and commissioned by the Governor upon the recommendation of the Adjutant General at such salary as may be provided by the annual appropriations act. Such individual shall be appointed from the active or retired list of the Army National Guard and shall have had a minimum of five years' active commissioned service in the South Carolina Army National Guard.

Section 44-29. Assistant Adjutant General for Air.

There shall be an Assistant Adjutant General for Air, with the rank of Brigadier General, who shall be an assistant to the Adjutant

General and who shall be appointed and commissioned by the Governor upon the recommendation of the Adjutant General at such salary as may be provided by the annual appropriations act. Such individual shall be appointed from the active or retired list of the Air National Guard and shall have a minimum of five years' active commissioned service in the South Carolina Air National Guard.

Section 44-30. Duties during absence of Adjutant General.

In case of absence or inability of the Adjutant General to perform the duties of his office, the Governor shall designate one of the Assistant Adjutants General to serve as the Adjutant General.

Section 44-31. Audit and allowance of department expenses.

The expenses of the Military Department, necessary to the military service, shall be audited, allowed and paid as other military expenditures are audited, allowed and paid.

ARTICLE 3

Commissioned and Warrant Officers General Provisions

Section 44-41. Appointment, qualifications and tenure.

All commissioned and warrant officers of the South Carolina National Guard shall be appointed and commissioned or warranted by the Governor. No person shall be appointed and commissioned or warranted unless he shall be a citizen of the United States and a resident of this State. His age shall conform to the age requirements as set forth in the regulations issued by the National Guard Bureau and that are in effect at the time of appointment. Every commissioned or warrant officer shall hold office under his commission or warrant until he shall have been regularly appointed and commissioned or warranted to another grade or office or until he shall have been regularly retired, discharged, dismissed or placed in an inactive status.

Section 44-42. Certain personnel of The Citadel commissioned in unorganized militia.

All members of the Board of Visitors, administrative staff and faculty personnel of The Citadel, The Military College of South Carolina, shall be eligible to be commissioned officers in the unorganized militia of South Carolina and the Governor shall issue commissions to such of them as are designated by the college according to the rank

prescribed by that institution. These commissions shall be prepared by the Adjutant General and shall bear the signatures of the Adjutant General and the Governor with the seal of the State and shall not entitle any person holding them to any pay or emolument by reason thereof unless he be assigned to duty with the National Guard of South Carolina by order of the Governor. In the event of such assignment the rank of such officer shall be junior to that of all other officers of the same grade of the National Guard of the State. The same rules and regulations provided for commissioned officers of the National Guard shall be applicable to officers commissioned under this section. Nothing in this chapter shall be in conflict with Section 22-306.

Section 44-43. Appointment and promotion of officers.

Every appointment and promotion of any person as a commissioned or warrant officer in the National Guard of South Carolina shall be probationary and revocable by the Governor at will. Except that if the appointee shall have been extended Federal recognition for his grade during such probationary period, his commission or warrant no longer shall be probationary or revocable in that grade.

Section 44-44. Oath of officers.

The oath of office for commissioned and warrant officers in the National Guard of South Carolina shall be substantially as follows: 'I do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of South Carolina against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I will obey the orders of the President of the United States and the Governor of South Carolina; that I make this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office of in the National Guard of the United States and of South Carolina upon which I am about to enter, so help me God.'

Section 44-45. Oath required.

Every officer duly commissioned or warranted shall within such time as may be provided by law or by regulations take the oath of office prescribed by law and give bond, if required. In case of neglect or refusal to do so, he shall be considered to have resigned such office and a new appointment may be made as provided by law.

Section 44-46. Waiver of seniority.

Any officer of the National Guard of South Carolina may, in writing, waive his right to any promotion to which his seniority shall entitle him, in which event the next senior officer who shall not in writing have waived such promotion shall be entitled thereto.

Section 44-47. Relative rank of officers.

The Adjutant General shall publish annually a relative rank list of all officers in the National Guard. Separate relative rank lists shall be maintained for Army National Guard professional officers by branch; all other Army National Guard officers; all Air National Guard officers; and all retired National Guard officers. The Adjutant General shall assign to each commissioned officer on the active list of the National Guard of South Carolina a number assigning to the senior officer of each grade on each list the number 'one (1)' and continuing lineally thereafter in each grade on each list in order of seniority as of the effective date of the current Federal recognition in the grade held by the officer. When the effective date of Federal recognition in any given grade is the same for two or more officers, seniority shall be governed by the date of Federal recognition in the preceding grade or grades, successively and in inverse order. When two or more officers are given an original Federal recognition in any grade in the National Guard of South Carolina with the same effective date the relative rank of such officers shall be determined according to age, the elder being the senior.

Section 44-48. Senior officer on duty in command.

If, upon marches, guards or in quarters different organizations of the National Guard of this State join in or do State duty together, the officer highest in rank of the line by commission there on duty or in quarters shall command the whole and give orders for what is needful in the service unless otherwise specially directed by the Governor, according to the nature of the case.

Section 44-49. When officer not to resign or be discharged.

No officer shall be discharged or his resignation accepted while under arrest or against whom military charges have been preferred or until he shall have turned over to his successor or satisfactorily accounted for all State and Federal moneys and military property for which he shall be accountable or responsible.

Section 44-50. Retirement of Officers and Enlisted Men.

Officers and enlisted men of the National Guard of South Carolina shall be retired by order of the Commander-in-Chief with a pro-

motion of one grade, effective the date of retirement at the request of any officer or enlisted man upon completion of twenty or more years of honorable service in the National Guard of South Carolina, the Armed Forces of the United States, and reserve components thereof, except that the last ten years of such service must have been in the South Carolina National Guard, or in the National Guard of the United States and provided that the individual concerned was a member of the South Carolina National Guard at the time he was ordered to active duty in the National Guard of the U. S. status. But any commissioned officer holding the grade of Major General shall, upon retirement, be retired in that grade; any warrant officer holding the grade of Chief Warrant Officer shall, upon retirement, be retired in that grade; and any enlisted man holding the highest authorized enlisted grade shall, upon retirement, be retired in that grade.

Retired officers and retired enlisted men shall draw no pay or allowances except when placed on duty. They shall be subject to temporary detail by the Commander-in-Chief and while on such duty shall receive the same pay and allowances as officers and enlisted men of the same rank on the active list. On all occasions of duty or ceremony retired officers and enlisted men shall take rank below officers and enlisted men of the same grade on the active list.

Section 44-51. Dismissal of officers.

The Governor may dismiss any commissioned or warrant officer of the National Guard of South Carolina for any of the following reasons: (1) Conviction of an infamous crime; (2) Absence from his command for more than thirty days without proper leave; or (3) Sentence of dismissal by court-martial, duly approved; (4) Inefficiency, or other cogent reasons as determined by reclassification proceedings in accordance with current regulations of the armed services of the United States pertaining to reclassification procedures.

Section 44-52. Discharge of officers.

The Governor may discharge any commissioned or warrant officer of the organized militia of South Carolina for any of the following reasons: (1) Upon muster out of the organization to which such officer is assigned; (2) Acceptance of resignation of such officer; (3) Removal of his actual residence to such distance from the station of his command as to render it impracticable for him to perform the

duties of his office; or (4) Failure to qualify or to maintain qualification for Federal recognition.

Section 44-53. Oath administered by officers of reserve militia.

Officers are authorized and empowered to administer oaths and affirmations in all matters pertaining to or concerning the National Guard of South Carolina. Any person who shall falsely swear or affirm to any oath or affirmation before any such officer shall be guilty of perjury and upon trial and conviction thereof shall be sentenced for such offense as now provided by law for the crime of perjury.

ARMY NATIONAL GUARD

Section 44-54. Vacancy in the Grade of Warrant Officer.

Whenever a vacancy shall have occurred in any grade of warrant officer in the Army National Guard of South Carolina it shall be filled by the appointment or promotion of a person recommended by the immediate commander, and approved by each commander in the chain of command and the Adjutant General. The applicant must be qualified in accordance with the requirements of the Department of the Army, the National Guard Bureau and such other requirements as may be imposed by the Adjutant General of South Carolina.

Section 44-55. Vacancy in the Grade of Lieutenant.

Except as hereinafter provided in Section 44-64, whenever a vacancy shall have occurred in the grade of lieutenant in the Army National Guard of South Carolina it shall be filled by the appointment or promotion of a person recommended by the immediate commander, and approved by each commander in the chain of command and the Adjutant General.

Section 44-56. Vacancy in the Grade of Captain.

Except as hereinafter provided in Section 44-64, whenever a vacancy shall have occurred in the grade of Captain in the Army National Guard of South Carolina, it shall be filled as follows:

(a) Within units—By the promotion of the senior fully qualified officer of the next lower grade within the unit.

(b) On commissioned staff of a Headquarters—By the transfer in grade of a qualified officer from within the organization or by the reassignment or transfer and promotion of the senior fully qualified lieutenant from within the organization. The method employed to fill such vacancy will be determined by the immediate commander

concerned with concurrence of commanders in the chain of command and of the Adjutant General.

Section 44-57. Vacancy in the Grade of Major or Lieutenant Colonel.

Except as hereinafter provided in Section 44-64, whenever a vacancy shall have occurred in the grade of major or lieutenant colonel in the South Carolina Army National Guard it shall be filled as follows:

(a) Within Battalions, Squadrons or similar commands—By the promotion of the senior fully qualified officer of the next lower grade within that organization.

(b) On commissioned staff of a headquarters other than (a) above—By the transfer in grade of a qualified officer from within the organization or by the transfer and promotion of the senior fully qualified officer of the next lower grade from within the organization. The method employed to fill such vacancy will be determined by the immediate commander concerned with concurrence of commanders in the chain of command and of the Adjutant General.

Section 44-58. Vacancy in the Grade of Colonel.

Except as hereinafter provided in Section 44-64, whenever a vacancy shall have occurred in the grade of colonel in the South Carolina Army National Guard, it shall be filled by such fully qualified and best qualified officer in the next lower grade within the South Carolina Army National Guard as may be selected by the 'Colonels Selection Board', subject to examination as prescribed by the Department of the Army.

Section 44-59. Vacancy in the Grade of Brigadier General.

Except as hereinafter provided in Section 44-64, whenever a vacancy shall have occurred in the grade of brigadier general in the South Carolina Army National Guard, it shall be filled by the promotion of the best qualified officer in the next lower grade within the South Carolina Army National Guard as may be determined by the 'Brigadier General Selection Board', and subject to examination as prescribed by the Department of the Army.

Section 44-60. Vacancy in Grade of Major General.

Whenever a vacancy shall have occurred in the grade of major general of the South Carolina Army National Guard, it shall be filled by the promotion of the senior qualified officer within the South Caro-

lina Army National Guard, subject to examination as prescribed by the Department of the Army. Should the senior officer decline or fail to qualify, the promotion will be tendered to successive officers below him in order of seniority.

Section 44-61. Vacancy Occuring in any Grade Where a Qualified Officer is Not Available Within the Unit or Organization.

Whenever a vacancy shall have occurred in a unit or organization where there are no qualified officers in the next lower grade, the vacancy shall be filled by the assignment from the next lower grade or transfer in grade of an officer selected by the commander with concurrence of commanders in the chain of command and of the Adjutant General. Where an officer of the next lower grade is selected a period of time shall be set by the Adjutant General in which said officer must qualify for promotion or resign his commission from the South Carolina Army National Guard.

Section 44-62. Promotions under Reserve Officer Personnel Act.

Whenever an officer who has been selected for promotion by a Selective Board convened under the provisions of the Reserve Officer Personnel Act (Sections 3362 and 8366, Title 10, U. S. Code) is immediately faced with withdrawal of his Federal status as a National Guard officer and transfer to the Army Reserve he may be transferred or assigned to a suitable position vacancy in which he can be promoted, subject to concurrence of commanders concerned and approval of the Adjutant General.

Section 44-63. Not Used.

Section 44-64. Vacancy in the Staff of Headquarters and Headquarters Detachment, South Carolina National Guard.

Whenever a vacancy shall have occurred in any grade in the Staff of Headquarters and Headquarters Detachment of the South Carolina National Guard, it shall be filled by those persons as the Adjutant General shall select.

Section 44-65. Appointment or Promotion of Professional Officers.

Whenever a vacancy shall have occurred in any grade of the medical, dental, chaplain and judge advocate branches in the South Carolina Army National Guard, it shall be filled by the appointment or promotion of the next fully qualified senior officer in the respective branch without regard to his assignment or organization. The ap-

plicant must be qualified for appointment or promotion in accordance with requirements of the Department of the Army and National Guard Bureau and such other requirements as may be imposed by the Adjutant General of South Carolina. The appointment and promotion policies prescribed elsewhere in this Code are not applicable to professional officers as contained in this paragraph.

Section 44-66. Officer Selection Boards.

Brigadier General Selection Board.

A board shall be established by the Governor for the purpose of selecting qualified officers of the next lower grade to fill brigadier general officer vacancies in the South Carolina Army National Guard. The board shall consist of three general officers; composed of the Adjutant General and the active general officers of the South Carolina Army National Guard and if necessary the number of recently retired active general officers of the South Carolina Army National Guard necessary to constitute the Board.

Colonels.

A board shall be established by the Adjutant General for the purpose of selecting qualified officers of the next lower grade to fill colonel vacancies in the South Carolina Army National Guard. This board will consist of the five senior officers of the South Carolina Army National Guard, to include not over one officer from the State Headquarters or one professional officer.

Section 44-67. Transfer of Officers Within the South Carolina Army National Guard.

Authority shall be given the Adjutant General to make transfers of officers within the South Carolina Army National Guard. These transfers must be mutually acceptable to commanders concerned and must be in the best interest of the South Carolina Army National Guard.

Section 44-68. Examination Required.

All officers and warrant officers, even though meeting the requirements for appointment or promotion, as established by law and regulations are subject to examination as prescribed by the Department of the Army.

Section 44-69. Adjutant Generals Policy Board.

The Adjutant General of South Carolina shall appoint a policy board of officers. Said board shall consist of members to represent

each arm or branch of service that has an active unit of detachment size or larger in the South Carolina Army National Guard. It shall be the duty of this board to review all matters brought before it and submit findings and recommendations to the Adjutant General for his action. Any active member of the South Carolina Army National Guard may petition the Adjutant General to have this board review any issue or grievance desired to be brought before it. Membership for this board will be for three years except that the original board shall consist of three members appointed for three years, three members for two years, and other members for one year. No member may succeed himself. The senior ranking officer on the board shall be president.

Section 44-70. Reorganization Authority.

In the event the structure or organization of any National Guard unit or organization is changed or reorganized by the Department of the Army, the Adjutant General shall effect such change or reorganization that is to the best interest of the National Guard. Should such change or reorganization subsequently make inapplicable any sections of the Military Code, the Adjutant General shall promulgate such appropriate rules and regulations that shall have full force and effect as the Military Code of State.

Air National Guard

Section 44-71. Vacancy in Grade of Lieutenant.

Whenever a vacancy shall have occurred in the grade of lieutenant in the South Carolina Air National Guard, it shall be filled by selection of the applicant considered best qualified by the Chief of Staff, South Carolina Air National Guard, subject to approval of the Adjutant General, and who is also fully qualified for immediate appointment. An officer in the grade of second lieutenant who is qualified for promotion shall be promoted to the grade of first lieutenant, regardless of the seniority of other second lieutenants, on that date upon which he completes three years of promotion service in grade. If found to be not qualified for this promotion, he will be discharged.

Section 44-72. Vacancy in Grade of Captain and Major.

Whenever a vacancy shall have occurred in the grade of captain or major in the South Carolina Air National Guard, except as otherwise specifically authorized herein, it shall be filled by promoting the senior officer of the next lower grade in the South Carolina Air

National Guard who is then professionally and otherwise fully qualified for immediate promotion and Federal recognition in the Air Force specialty required by the vacancy. If the officer first tendered the vacancy should fail to qualify for promotion under the appropriate laws and regulations, the vacancy shall then be tendered immediately to the next senior officer of the next lower grade in the South Carolina Air National Guard, and if this officer should fail to qualify the vacancy shall then be tendered to successive officers in order of seniority within the South Carolina Air National Guard.

Section 44-73. Vacancy in Grade of Lieutenant Colonel or higher.

Except as otherwise specifically authorized herein, whenever a vacancy shall have occurred in the grade of lieutenant colonel or higher in the South Carolina Air National Guard, it shall be filled by promoting the officer of the next lower grade in the South Carolina Air National Guard who is fully qualified for promotion and who is, in the opinion of the senior tactical Air National Guard Commander, the Chief of Staff, Headquarters, South Carolina Air National Guard, and the Adjutant General of South Carolina, considered to be best qualified to fill the vacancy notwithstanding seniority among those officers so qualified to fill such vacancy.

Section 44-74. Chief of Staff, Headquarters, South Carolina Air National Guard.

Whenever a vacancy shall have occurred in the position of Chief of Staff, Headquarters South Carolina Air National Guard, the vacancy will be tendered to the senior fully qualified officer on flying status, and who has a minimum of five years commissioned service in the South Carolina Air National Guard. If he declines the assignment, it will be tendered to the next senior officer so qualified, and then to successive officers in order of seniority so qualified, until it is filled. Provided further, that officers considered for this assignment shall have served in a state status the next two years preceding the date the vacancy shall have occurred. Active duty tours or schools of one year's duration or less shall count toward accrual of the two year period specified hereinabove. In the event of complete federal mobilization of the majority of the South Carolina Air National Guard, the two year requirement will not apply. The Chief of Staff will supervise preparation of plans, policies and programs for the Air National Guard units assigned to the State and will advise and assist the Adjutant General in the execution of such of these plans, policies and

programs as he approves. If he is the senior Air National Guard officer in the State, he may be vested with the authority to command all Air National Guard units assigned to the State.

Section 44-75. Vacancy in Headquarters, South Carolina Air National Guard.

Whenever a vacancy for an officer shall have occurred in Headquarters, South Carolina Air National Guard, except that of Chief of Staff, it shall be filled from among the officers of the South Carolina Air National Guard who are considered best qualified to fill the vacancy by the Chief of Staff, Headquarters South Carolina Air National Guard, and the Adjutant General, provided that no officer shall be assigned to Headquarters, South Carolina Air National Guard, until he has completed a total of three years commissioned service in the South Carolina Air National Guard. Assignment of an officer to Headquarters, South Carolina Air National Guard, does not entitle him to promotion without regard to seniority rights specified elsewhere in this act. Position vacancies for enlisted personnel in Headquarters South Carolina Air National Guard shall be filled as directed by the Chief of Staff, Headquarters South Carolina Air National Guard, subject to approval of the Adjutant General.

Section 44-76. Vacancy in Professional Specialties.

Whenever a vacancy shall have occurred in the South Carolina Air National Guard for a medical officer, dental officer, veterinary officer, legal officer, chaplain, or nurse, a fully qualified applicant may be appointed to fill this vacancy in any grade up to and including captain notwithstanding seniority rights specified elsewhere in this act.

Section 44-77. Promotions Under Reserve Officer Personnel Act, Public Law 773, 83rd Congress.

Whenever an officer is selected for promotion by a Selection Board convened under the provisions of the Reserve Officer Personnel Act (Public Law 773, 83rd Congress) he may be tendered the first available vacancy in the South Carolina Air National Guard for which he is qualified regardless of the seniority of other officers of the same grade. If he is not assigned to a suitable position vacancy in which he can be promoted, he will be discharged and transferred to the Air Force Reserve under appropriate regulations.

Section 44-78. Vacancies in New Units.

Whenever new units shall have been organized in the South Carolina Air National Guard at a location distant from previously organ-

ized units, newly created officer vacancies shall be tendered first to officers of the South Carolina Air National Guard residing in close proximity to the new unit commensurate with grade and qualifications and then to other applicants qualified for assignment and Federal recognition in accordance with appropriate regulations. After one year from the date of organization of the new unit, vacancies shall be filled by the selection and promotion procedures outlined elsewhere in this act for the Air National Guard.

Section 44-79. Exceptionally Qualified Enlisted Men.

Whenever exceptionally well qualified enlisted men of the South Carolina Air National Guard are approved for appointment in a commissioned grade by Headquarters, United States Air Force, and the National Guard Bureau, they may be appointed to the first available vacancy for which they are qualified in the South Carolina Air National Guard without regard to seniority rights specified elsewhere in this subtitle.

ARTICLE 4

Property and Finances Generally

Section 44-81. Duty of the State to maintain militia.

The duty of maintaining and governing the National Guard of South Carolina not in the service of the United States, rests upon the State subject to the constitutional authority of Congress.

Section 44-82. Expenses paid from militia appropriation.

All expenditures necessary to carry the provisions of the chapter into effect are hereby authorized to be incurred and paid out of the appropriations for the maintenance of the National Guard of South Carolina.

Section 44-83. Annual settlements for property both Federal and State.

Federal Property—The Adjutant General shall direct the USPFO to audit and effect annual settlements with responsible officers having Federal property accounts. The USPFO shall cause the responsible officer to prepare and submit proper adjustment documents to cover any discrepancies discovered during such audit. When it is determined by duly appointed reviewing authority that losses were incurred due to fault or negligence of the responsible officer, he shall be held pecuniarily liable. When the responsible officer has been held pecuniarily liable, the Adjutant General shall make demand on

the responsible officer for payment to the Treasurer of the United States for the specified amount. The Adjutant General shall enter or cause to be entered a suit on the bond of such officer upon failure to comply with demand for payment.

State Property—All property of a non-consumable nature procured by the Adjutant General from State appropriated funds and like property purchased from unit maintenance funds shall be accounted for as State property. Property donated from any sources for National Guard use shall be considered State owned property. The Adjutant General shall maintain State Property lists for all units and activities of the South Carolina National Guard. The Adjutant General shall cause State Property Accounts to be audited as he deems necessary. If the audit reflects shortages, the Adjutant General will cause an investigation to be made and take appropriate action. If such shortages are found to be due to the fault or negligence of the responsible officer, the Adjutant General shall make demand on the responsible officer for payment, to the Military Fund of South Carolina, for the specified amount. The Adjutant General shall enter or cause to be entered a suit on the bond of such officer upon failure to comply with demand for payment.

Section 44-84. The State Military Board.

There shall be for the State a military board, consisting of the Governor, the Adjutant General and the three senior commanders of the National Guard. The military board shall apportion the annual appropriation for the maintenance of the militia and determine what organizations or purposes are entitled by law to share in said appropriation.

Section 44-85. Pre-requisites to sharing in appropriations.

No unit or activity shall participate in the annual allotment of the annual appropriation for the maintenance of the militia unless the proper officers of such organizations shall have rendered the required reports and returns for the preceding year, nor unless such organization participated in the required training or was excused by proper authority.

Section 44-86. Disbursements of military funds.

All bills, claims and demands against the military fund shall be certified or verified in the manner prescribed by regulations promulgated by the Governor and shall be audited by the proper board of

military auditors, and if allowed, shall be paid by the State Treasurer upon the warrant of the Adjutant General from the military fund. But when the National Guard, or any part thereof, is called into the service of the State for State duty warrants for allowed pay and expenses for such service shall be drawn upon the general fund of the State Treasury and paid out of moneys in such fund not otherwise appropriated. All military warrants shall be the obligation of the State and shall bear interest at the legal rate from the date of their presentation for payment.

Section 44-87. Allowances for maintenance.

Each unit shall be entitled to such maintenance fund allowance as may be provided in the annual appropriations act as apportioned by the military board and such fund shall be payable semiannually, the first allotment to be paid on July first and the second on January first.

Section 44-88. Transportation and subsistence of militia on State duty.

There shall be provided by the State transportation for all officers and transportation and subsistence for all enlisted men who shall be lawfully ordered to State duty. Necessary transportation, quartermaster's stores and subsistence for troops when ordered on duty shall be contracted for by the proper officers and paid for as other military bills.

Section 44-89. United States Property & Fiscal Officer; bond.

The Governor shall appoint, designate or detail, on the recommendation of the Adjutant General, subject to the approval of the Secretary of the Army and the Secretary of the Air Force, a field grade officer of the National Guard who shall be designated as the United States Property & Fiscal Officer for the State. Before entering upon the performance of his duties as Property and Fiscal Officer he shall be required to give good and sufficient bond to the United States, as required by Federal statutes, for the faithful performance of his duties and for the safekeeping and proper disposition of the Federal funds and property entrusted to his care.

Section 44-90. United States Property and Fiscal Officer; general duties.

He shall receipt and account for all funds and property belonging to the United States in possession of the National Guard and shall make returns and reports concerning such funds and property as

may be required by the Secretary of the Army and the Secretary of the Air Force. The United States Property & Fiscal Officer for the State shall render, through the National Guard Bureau, such accounts of Federal funds entrusted to him for disbursement as may be required by the Secretary of the Army and the Secretary of the Air Force. The Secretary concerned may cause an inspection of the accounts and records of the Property and Fiscal Officer to be made by an Inspector General of the Army of his department at least once a year. The United States Property & Fiscal Officer shall function under the direction of the Adjutant General.

Section 44-91. Appropriation of public property.

Any officer or enlisted man taking any Government property from an armory without the written consent of his unit commander shall be considered as appropriating Government property to his own use and may be tried in any court of competent jurisdiction and on conviction thereof shall suffer a fine in any sum, not exceeding one hundred dollars, together with the cost of such Government property, or imprisonment in the county jail for a period not exceeding sixty days, or shall suffer both fine and imprisonment.

Section 44-92. Purchase or receiving of military property a misdemeanor.

If any person knowingly purchases or receives in pawn or pledge any military property of the State or of the United States he shall be guilty of a misdemeanor and, upon conviction thereof, shall be sentenced to imprisonment for a period not exceeding one year, or fined not exceeding one thousand dollars, or to both such fine and imprisonment.

Section 44-93. Disposition of State Property.

All military property of the State which after proper inspection shall be found unsuitable for use of the State shall be disposed of in such a manner as the Adjutant General shall direct and the proceeds thereof paid into the military fund of the State.

Section 44-94. False or fraudulent claims.

Any member of the National Guard of South Carolina who:

- (1) Makes or causes to be made any claim against the United States or this State or any officer thereof, knowing such claim to be false or fraudulent;

(2) Presents or causes to be presented to any person in the civil or military service thereof for approval or payment any claim against the United States or this State or any officer thereof, knowing such claim to be false or fraudulent;

(3) Enters into any agreement or conspiracy to defraud the United States or this State by obtaining or aiding others to obtain the allowance or payment of any false or fraudulent claim;

(4) For the purpose of obtaining or aiding others to obtain the approval, allowance or payment of any claim against the United States or this State or against any office thereof makes or uses or procures or advises the making or use of any writing or other paper, knowing it to contain any false or fraudulent statement;

(5) For the purpose of obtaining or aiding others to obtain the approval, allowance or payment of any claim against the United States or this State or any officer thereof makes or procures or advises the making of any oath to any fact or to any writing or other paper, knowing such oath to be false;

(6) For the purpose of obtaining or aiding others to obtain the approval, allowance or payment of any claim against the United States or this State or any officer thereof forges or counterfeits, or procures the forging or counterfeiting of any paper or uses or procures or advises the use of any such signature, knowing it to be forged or counterfeited;

(7) Having charge, possession, custody or control of any money or other property of the United States or of this State, furnished or intended for the military service thereof, knowingly delivers or causes to be delivered to any person having authority to receive it any amount thereof less than that for which he receives a certificate or receipt;

(8) Being authorized to make or deliver any paper certifying the receipt of any property of the United States or this State, furnished or intended for the military service thereof, makes or delivers to any person such writing without having full knowledge of the truth of the statements therein contained and with intent to defraud the United States or this State;

(9) Steals, embezzles, knowingly and wilfully misappropriates, applies to his own use or benefit or wrongfully and knowingly sells or disposes of any ordnance, arms, ammunition, equipment, clothing, subsistence, stores, money or other property of the United States or of this State furnished or intended for the military service thereof;

(10) Knowingly purchases or receives in pledge for any obligation or indebtedness from any enlisted man, officer or other person who is a part of or employed in such forces or services any ordnance, arms, equipment, ammunition, clothing, subsistence, stores or other property of the United States or this State, such enlisted man, officer or other person not having lawful right to sell or pledge the same;

Shall on conviction thereof be punished by fine or imprisonment or by such other punishment as a court-martial may direct or by all of such penalties. And if any person having committed any of the offenses aforesaid while a member of the National Guard of South Carolina receives his discharge or is dismissed from the service, he shall continue to be liable to be arrested and held for trial and sentence by a court-martial in the same manner and to the same extent by court-martial as if he had not received such discharge nor been dismissed.

Section 44-95. Embezzlement of funds.

Any officer or enlisted man of the South Carolina reserve militia who shall misapply, embezzle or convert to his own use without authority any moneys received by or entrusted to him for disbursement shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be sentenced as for like offenses under the criminal laws of this State.

Section 44-96. Negligent loss of military supplies.

Any officer who willfully or through neglect suffers to be lost, spoiled or damaged any military stores belonging to the United States or this State shall make good the loss or damage and shall suffer such punishment as a court-martial may direct.

Section 44-97. Sale or waste of ammunition.

Any enlisted man who sells or wilfully or through neglect wastes the ammunition delivered to him shall be punished as a court-martial may direct.

Section 44-98. Sale or negligent loss of military property.

Any enlisted man who sells or through neglect loses or spoils any military property of the United States or this State shall be punished as a court-martial may direct.

ARTICLE 5

Training Facilities

Section 44-101. Acquisition of Real Estate.

The Adjutant General of this State may receive on behalf of the State conveyances of real property suitable for the erection of any required training facility, provided that in accepting any such conveyance on behalf of the State, the State shall incur no liability for the purchase of such real estate unless it can be absorbed by the current appropriation for the operation of the Military Department.

Section 44-102. Custodian and Use of Training Facilities.

The Adjutant General shall be the State custodian of training facilities. No training facility shall be used for any other than a strictly military purpose without the recommendation of the officer in charge thereof and approval of the Adjutant General.

Section 44-103. Leasing of Training Facilities, Not Owned by the State or the United States.

All training facilities and all property, real or personal, used by the National Guard and not owned by the State or the United States shall be leased or rented to this State upon such terms and conditions as shall be approved by the Adjutant General.

Section 44-104. Maintenance of State Owned Facilities.

The Adjutant General shall be responsible for the proper maintenance of training facilities and is authorized to expend funds appropriated for this purpose.

Section 44-105. Authority to Sell Armories.

The Adjutant and Inspector General is hereby authorized to sell obsolete armories and retain such funds as realized therefrom in a special account with the State Treasurer. Funds from such special account shall be used for the construction of new armories, such construction to be under the supervision of the Adjutant and Inspector General of the State.

ARTICLE 6

When National Guard May be Called to Service

Section 44-111. National Guard subject to call by United States.

The National Guard of South Carolina or any part thereof shall be subject to call for Federal service at such times, in such manner and in such numbers as may from time to time be prescribed by the Congress of the United States.

Section 44-112. Liability of National Guard to service.

The National Guard shall not be subject to active duty other than training duty, except (a) in case of war, (b) in event or danger of invasion by a foreign nation, (c) there is a rebellion or danger of rebellion against the authority of the government of the United States, (d) the President is unable with the regular forces to execute the laws of the United States, (e) for preventing, repelling or suppressing invasion, insurrection or riot, (f) for aiding civil officers in the execution of the laws, in which cases the Governor or local commander as provided for in Section 44-114 to Section 44-118 shall order out for active service, by draft or otherwise, as many of the National Guard as necessity demands or, (g) during natural disaster or local emergency whenever the lives and property of the State's citizens are threatened.

Section 44-113. Duty when called to suppress unlawful assembly.

When an armed force is called out for the purpose of suppressing an unlawful or riotous assembly it must obey the orders in relation thereto of the civil officer calling it out and render the aid required. The orders of the civil officer may extend to a direction of the general or specific mission to be accomplished and the duration of service by the National Guard, but the tactical direction of the troops, the kind and extent of force to be used and the particular means to be employed to accomplish the mission specified by the civil officers are left solely to the officers of the National Guard.

Section 44-114. Authority of Governor to order out National Guard.

In the event of (a) war, insurrection, rebellion, invasion, tumult, riot or a mob, (b) a body of men acting together by force with intent to commit a felony, to offer violence to persons or property or by force and violence to break and resist the laws of this State or of the United States, (c) in case of the imminent danger of the occurrence of any of such events or (d) in the event of public disaster the Governor may order the National Guard of South Carolina or any part thereof into the active service of the State and cause them to perform such duty as he shall deem proper. The Governor may also upon the written request of the mayor of a city or the sheriff of a county within which a large public assemblage is to occur order out the National Guard or any part thereof **to preserve order and keep people within bounds at such assemblage.** In case the Governor shall

be absent from the State or unavailable for any reason the authority herein bestowed shall pass to the Adjutant General of the State.

Section 44-115. Same; when laws may not be enforced by judicial proceedings.

Whenever, by reason of unlawful obstructions, combinations or assemblages of persons or rebellion against the authority of the government of this State, it shall become impracticable, in the judgment of the Governor to enforce by the ordinary course of judicial proceedings the laws of the State within any county or counties of the State, the Governor may call forth the National Guard of the State or such parts thereof as he may deem necessary to enforce the faithful execution of the laws or to suppress such rebellion.

Section 44-116. Proclamation to disperse.

Whenever in the judgment of the Governor it may be necessary to use the military force under the provisions of Section 44-115 the Governor shall forthwith, by proclamation, command such insurgents to disperse and retire peaceably to their respective abodes within a limited time.

Section 44-117. When Governor may take possession of utilities.

The Governor of the State when, in his judgment, the public safety may require it, may take possession of any or all utilities in the State, including communications and transportation facilities, their offices and appurtenances, their rolling stock, shops, buildings and all their appendages and appurtenances, may prescribe rules and regulations for the holding, using and maintaining of the aforesaid utilities in the manner most conducive to the interest and safety of the government and may place under military control all the officers, agents and employees of such utility or communication facility so that they shall be considered a part of the military establishment of the State, subject to all the restrictions imposed by the rules and articles of war.

Section 44-118. When local commanding officer may order out National Guard.

In the event of insurrection, rebellion, invasion, tumult, riot, resistance to law or process or breach of the peace occurring in the vicinity of the station of any organization of the National Guard of South Carolina, the senior commanding officer of that station, whenever the exigencies of the situation are such as to render it impossible first to communicate with the Governor, or Adjutant General, may,

upon request in writing by the sheriff of the county involved or an officer acting in his stead stating the facts and the nature of the service desired, order out the organization at that station or such portion thereof as he shall deem necessary and cause it to perform such duty as the circumstances shall require. In any such case such commanding officer shall immediately report what he has done and all of the circumstances of the case to the Governor and it shall be deemed that the action was taken by order of the Governor.

Section 44-119. Call of militia to service.

In the event of or imminent danger of war, insurrection, rebellion, invasion, tumult, riot, resistance to law or process or breach of the peace, if the Governor shall have ordered into active service all of the available forces of the National Guard of South Carolina and shall consider them insufficient in numbers to properly accomplish the purpose, he may then in addition order out the unorganized militia or such portion thereof as he may deem necessary and cause them to perform such military duty as the circumstances may require.

Section 44-120. Penalty for refusal to serve when ordered.

Every member of the National Guard or militia who shall have been ordered out for either State or Federal service under the provisions of Sections 44-114, 44-118 and 44-119 and who shall refuse or willfully or negligently fail to report at the time and place and to the officer designated in the order or to the representative or successors of such officer shall be deemed guilty of desertion or absence without leave and shall suffer such penalty as a general court-martial may direct unless he shall produce a sworn certificate from a licensed physician of good standing that he was physically unable to appear at the time and place designated. Any person chargeable under this section may be taken by force and compelled to serve.

Section 44-121. Penalty for false certificate by physician.

Whenever any physician shall knowingly make and deliver a false certificate of physical disability concerning any member of the National Guard or militia who shall have been ordered out or summoned for active service, such physician shall thereby forfeit forever his license and right to practice in this State and shall be guilty of perjury.

Section 44-122. Proclamation of state of insurrection.

Whenever any portion of the National Guard or militia is employed in aid of the civil authority, the Governor, if in his judgment

the maintenance of law and order will thereby be promoted, may by proclamation declare the county or city in which the troops are serving or any specified portion thereof to be in a state of insurrection, rebellion, tumult, riot, resistance to law or process or breach of the peace.

ARTICLE 7

Provisions Relating to Service

Section 44-131. Terms of enlistment.

An original enlistment in the National Guard shall be for a period of not less than three years.

Section 44-132. Transmission of orders.

Orders for duty may be oral or written. Officers and enlisted men may be warned for duty either (a) by stating the substance of the order, (b) by reading the order to the person warned, (c) by delivering a copy of such order to such person, (d) by leaving a copy of such order at his last known place of abode or business with some person of suitable age and discretion or (e) by mail directed to him at his last known place of abode or business. Orders may be transmitted by telegram or telephone. Such warnings may be given by any officer or enlisted man. The officer or enlisted man giving such warning shall, when required, make a return thereof, containing the names of persons warned and the time, place and manner of warning. Such returns shall be verified on oath and shall be prima facie evidence on the trial of any person returned as a delinquent of the facts therein stated.

Section 44-133. Use of highways, etc.

Any member of the National Guard parading or performing any duty according to the law shall have the right of way in any street or highway through which he may pass and while on field duty shall have the right to enter upon, cross or occupy any lands when no damage will be caused thereby. Any person belonging to the military forces of the State going to or returning from any parade, encampment, drill or meeting which he may be required by law to attend, shall not be subject to fees on roads and bridges in this State.

Section 44-134. Maintenance of discipline and order at camps, etc.

The commanding officer at any drill, parade, encampment or other duty may cause those under his command to perform any military

duty he shall require and may place in arrest from the time of such drill, parade, encampment or other duty any officer or enlisted man who shall disobey the orders of his superior officer or in any way interrupt in the exercises and any other person who shall trespass on the camp grounds, parade grounds, rifle range or armory or in any way or manner interrupt or molest the orderly discharge of duty of those on duty or shall disturb or prevent the passage of troops going to or returning from any regularly ordered tour of duty.

Section 44-135. Penalty for violating Section 44-134.

Any person violating any of the provisions of Section 44-134 or any order issued in pursuance thereof shall be guilty of a misdemeanor and may be delivered at or before the termination of such duty to any peace officer and shall be brought before the nearest court of competent jurisdiction for trial and, upon conviction, shall be fined not more than one hundred dollars or imprisoned for not more than thirty days.

Section 44-136. Exemption from civil arrest.

No person belonging to the military forces of this State shall be arrested under any civil process while going to, remaining at or returning from any place at which he may be required to attend military duty. Any civil officer who shall execute any process arresting and confining the person requiring bail or surety (unless for treason, felony or breach of the peace) on any person engaged in military service required by the laws of this State or going to or returning from such service shall be subject to a penalty of twenty-five dollars and the service of any such process shall be void.

Section 44-137. Civil action or criminal prosecution against military personnel.

No action or proceeding shall be prosecuted or maintained against a member of a military court or officer or person acting under its authority or reviewing its proceedings on account of the approval of imposition or execution of any sentence, warrant, writ process or mandate of any military court, nor shall any officer or enlisted man be liable to a civil action or criminal prosecution for any act done while in the discharge of his military duty when such act is in the line of duty.

Section 44-138. Assault, etc., against personnel.

Any person who unlawfully assaults, fires at or throws any missile at, against or upon any member or body of the National Guard or

any civil officer or other person lawfully aiding them, while on active duty in the State or aiding in the enforcement of the laws under proper authority, shall be guilty of a misdemeanor and on conviction shall be liable to imprisonment in the State Penitentiary for a period of not more than two years in the discretion of the court.

Section 44-139. Pecuniary injury on account of membership in militia a misdemeanor.

A person who, either by himself or with another, (a) willfully deprives a member of the National Guard of South Carolina of his employment, (b) prevents such member from being employed, (c) obstructs or annoys a member or his employer in his trade, business or employment because he is such a member or (d) dissuades or attempts to dissuade any person from enlisting in such National Guard by threat of injury to him in his employment, trade or business shall be guilty of a misdemeanor and, on conviction thereof, shall be fined in a sum not exceeding one hundred dollars or imprisoned in the county jail not more than thirty days.

Section 44-140. Pay of National Guard on duty.

Whenever the National Guard or any part thereof shall be ordered to active State duty the officers, warrant officers and enlisted men shall, during the period of such active duty, receive the same pay and allowances as provided for the active Armed Forces of the United States.

Section 44-141. Proceedings in case of death.

In case of the death of any member of the South Carolina National Guard, his commanding officer shall immediately secure all his effects then in camp or military quarters and shall, in the presence of two other officers, make an inventory thereof which he shall transmit to the office of the Adjutant General.

Section 44-142. Discharges of enlisted men.

An enlisted man discharged from the service of the National Guard of this State shall receive a discharge in writing in such form and of such classification as may be prescribed by law or regulations and in time of peace discharges may be given prior to the expiration of terms of enlistment under such regulations as may be prescribed by competent authority.

Section 44-143. Transfer of enlisted men.

An enlisted man may be transferred upon his own request from one unit of the National Guard of South Carolina to another by the Adjutant General if the transfer is approved by the commanding officers of the units involved.

ARTICLE 8

Code of Military Justice for the National Guard

Section 44-151. Governing Provisions.

The National Guard of South Carolina shall be governed by the provisions contained in the following sections.

Section 44-152. False muster.

Any officer who knowingly makes a false muster or who signs or directs or allows the signing of any muster roll, knowing it to contain a false muster shall, upon proof thereof by two witnesses before a court-martial, be dismissed from the service and shall thereby be debarred from holding any office or employment in the service of this State.

Section 44-153. Making a false return.

Any officer who knowingly makes a false return to any of his superior officers authorized to call for such returns, of the state of the organization under his command or of the arms, ammunition, clothing or other stores for which he shall be responsible or accountable shall, on conviction thereof before a court-martial, be dismissed.

Section 44-154. False certificate as to absence or pay.

Any officer who signs a false certificate relating to the absence or pay of an officer or enlisted man shall upon conviction by the proper court be dismissed from the service.

Section 44-155. Disrespect towards commanding officer.

Any officer or enlisted man who behaves himself with disrespect toward his commanding officer shall be punished as a court-martial may direct.

Section 44-156. Disobedience to or striking superior officer.

Any officer or enlisted man who, on any pretense whatsoever, (a) strikes his superior officer or draws or lifts up any weapon, or offers any violence against him, being in the execution of his office,

or (b) disobeys any lawful command of his superior officer shall suffer such punishment as a court-martial may direct.

Section 44-157. Non-judicial disciplinary punishment.

Any commanding officer may, in addition to admonition or reprimand, impose one or more of the following disciplinary punishments without the intervention of a court-martial.

(1) Upon officers:

(a) Withholding of privileges for a period not to exceed two weeks.

(b) Restriction to certain specified limits without suspension from duty for a period not to exceed two weeks.

(c) If imposed by the Governor or by a general officer, forfeiture of pay and allowances not to exceed fifty dollars.

Section 44-158. Failing to suppress or give notice of mutiny.

Any officer or enlisted man who, being present at any mutiny or sedition, does not use his utmost endeavor to suppress it or, having knowledge of any intended mutiny or sedition, does not without delay give information thereof to his commanding officer shall suffer such punishment as a court-martial may direct.

Section 44-159. Mutiny.

Any officer or enlisted man who begins, excites, causes or joins in any mutiny or sedition shall suffer such punishment as a court-martial may direct.

Section 44-160. Quelling quarrels, frays, etc.

Every officer may part and quell all quarrels, frays and disorders, whether among persons belonging to his own or another organization, and may order officers who take part therein into arrest and enlisted men who take part therein into confinement, until their proper superior officer is acquainted therewith. And whosoever, being so ordered, refuses to obey such officer or draws a weapon upon him shall be punished as a court-martial may direct.

Section 44-161. Complaint against officer.

Any enlisted man who believes himself wronged by any officer may complain to the immediate commander of such officer who shall examine into such complaint and take proper measures.

Section 44-162. Absence without Official Leave.

Any officer or enlisted man who absents himself from duty without leave shall be punished as a court-martial may direct.

Section 44-163. Failure to report or leaving before excused.

Any officer or enlisted man who fails, except when prevented by sickness or other necessity, to repair at the fixed time to the appointed place of duty, or goes from it without leave, before he is dismissed or relieved, shall be punished as a court-martial may direct.

Section 44-164. Hiring duty.

No enlisted man shall hire another to do his duty for him, nor shall be excused from duty, except in cases of sickness, disability or leave of absence. Every enlisted man found guilty of hiring his duty, and the person so hired to do another's duty shall be punished as a court-martial may direct.

Section 44-165. Connivance at hiring duty.

Every non-commissioned officer who connives at such hiring of duty shall be reduced. Every officer who knows and allows such practices shall be punished as a court-martial may direct.

Section 44-166. Sleeping on or leaving post.

Any sentinel who is found sleeping upon his post or who leaves it before he is relieved shall suffer such punishment as a court-martial may direct.

Section 44-167. Drunk on duty.

Any officer who is found drunk on duty shall be dismissed from the service. Any enlisted man who so offends shall suffer such punishment as a court-martial may direct.

Section 44-168. Leave of absence.

Officers and employees of the State of South Carolina, and departments and subdivisions thereof, shall be entitled to military leave without loss of pay, seniority or efficiency rating, when attending National Guard encampments or schools for training, under proper authority, and on all other occasions when ordered to active duty, in the service of the State of South Carolina.

Section 44-169. Misbehavior before enemy, etc.

Any officer or enlisted man who while performing State Duty (a) misbehaves himself before the enemy, runs away or shamefully abandons any fort, post or guard which he is commanded to defend, (b) speaks words inducing another to do the like, (c) casts away his arms or ammunition or (d) quits his post or colors to plunder or pillage shall suffer such punishment as a court-martial may direct.

Section 44-170. Desertion.

Any enlisted man who deserts shall be liable to serve for such period as shall, with the time he may have served previous to his desertion, amount to the full term of his enlistment. And such enlisted man shall be tried by a court-martial and punished, although the term of his enlistment may have elapsed previous to his being apprehended and tried.

Section 44-171. Advising desertions.

Any officer or enlisted man who advises or persuades any other officer or enlisted man to desert shall suffer such punishment as a court-martial may direct.

Section 44-172. Officer quitting post before acceptance of resignation.

Any officer who, having tendered his resignation, quits his post or proper duties without leave and with intent to remain permanently absent therefrom, prior to due notice of acceptance of such resignation, shall be deemed and punished as a deserter.

Section 44-173. Destroying civilian property.

All officers and enlisted men are to behave themselves in an orderly manner in quarters and on the march and whoever commits any waste or spoil or maliciously destroys any property whatsoever belonging to inhabitants of the United States shall, besides such other penalties as he may be liable to by law, be punished as a court-martial may direct.

Section 44-174. Conduct unbecoming an officer and a gentleman.

Any officer who is convicted of conduct unbecoming an officer and a gentleman shall be dismissed from the service.

Section 44-175. Other crimes not specified.

All crimes not capital and all disorders and neglects of which officers and enlisted men may be guilty, to the prejudice of good order and military discipline, though not mentioned in these military articles, may be taken cognizance of by a military court, as provided herein, according to the nature and degree of the offense and punished as a court-martial may direct.

Section 44-176. Officers to be tried promptly; if not they are released.

When an officer is put in arrest for the purpose of trial, the officer by whose order he is arrested shall see that a copy of the charge on

which he is to be tried is served upon him within three days after his arrest and that he is brought to trial within twenty days thereafter unless the necessities of the service prevent such trial and then he shall be brought to trial within thirty days after the expiration of such twenty days. If a copy of the charges be not served or the arrested officer be not brought to trial, as herein required, the arrest shall cease. But officers released from arrest under the provisions of this section may be tried whenever the exigencies of the service shall permit, within twelve months after such release from arrest.

ARTICLE 9

Military Tribunals

Section 44-181. Military Tribunals.

The Military tribunals of the State shall be two kinds, viz.: (1) Courts-martial for the trial of offenders against the military law; and (2) Courts of inquiry for examination of transactions within the National Guard of South Carolina or of accusations or imputations against officers or enlisted men therein.

Section 44-182. Jurisdiction of Courts-Martial; Trial of Officers.

Courts-martial shall have jurisdiction, subject to the limitation imposed by law, at all times, in all places and for all military offenses over officers and enlisted men of the National Guard of South Carolina and over members of the unorganized militia of this State who shall be under order for military duty, provided, however, that officers may be tried only by General Courts-Martial.

Section 44-183. Classes of Courts-Martial; Jurisdiction, Composition and Term.

Courts-martial of the National Guard of South Carolina shall be of the following classes and shall be composed of officers only of the South Carolina National Guard.

(1) General Courts-Martial: Composed of from 5 to 15 officers inclusive;

(2) Special Courts-Martial: Composed of 3 to 5 officers inclusive;

(3) Summary Courts-Martial: Composed of 1 commissioned officer only. They shall be respectively constituted and guided in general procedure as similar Courts-Martial provided for by laws and regulations of the Armed Forces of the United States. They may be appointed by order specifying that they shall sit either for the trial of specified offenses or offenders or for the trial of all offenses or of-

fenders that may be lawfully brought before the Court either during a specified period of time or until further orders of the appointing authority.

When from any cause a General or Special Court-Martial is reduced below the minimum number of officers required by this Article, the ranking officer of the remaining members shall direct the Trial Counsel to report such fact to the appointing authority and the Court shall await further orders before proceeding with the trial of any accused.

Section 44-184. General Courts-Martial.

General Courts-Martial shall be appointed only by order of the Governor of South Carolina.

Section 44-185. Special Courts-Martial.

Special Courts-Martial shall be appointed by the Adjutant General of South Carolina and by such other commanding officers of the National Guard as may be delegated such power of appointment by the Adjutant General. The power to appoint special Courts-Martial, when delegated, may not be redelegated and the Adjutant General shall have the power to revoke said delegated authority at any time.

Section 44-186. Summary Courts.

Summary Courts-Martial shall be appointed by the Adjutant General of South Carolina and by such other commanding officers of the National Guard as may be delegated such power of appointment by the Adjutant General. The power to appoint Summary Courts-Martial, when delegated by the Adjutant General may be redelegated repeatedly from higher echelon of command to lower echelon of command as is deemed best by each successive commanded delegated said authority. Summary Court officers shall have power and authority to administer oaths.

Section 44-187. Charges; Order Appointing Court, Order for Trial, Preparation and Service Thereof.

Charges for violation of the Military Code of South Carolina shall be prepared on Charge Sheets as used by the Armed Forces of the United States or on such other forms as may be prescribed by the Adjutant General of South Carolina. A copy of said charges shall be caused to be served upon the accused by the Trial Counsel in cases referred to General or Special Courts and by the Summary Court Officer in cases referred to a Summary Court and any duly appointed

state or county law enforcement officer may be utilized to execute such service.

With the service of the charges referred to General and Special Courts, there shall also be served on the accused a copy of the Order appointing the Court and a copy of an Order, signed by the President of the Court, ordering the accused to appear before said Court for trial. Said order to appear shall also contain notice of the place, date and time for trial. In cases referred to General Courts for trial, service upon the accused shall be at least ten (10) days prior to trial and in cases referred to Special Courts service upon the accused shall be at least five (5) days prior to trial. Trial of cases referred to Summary Courts shall be informal and no copies of written Orders appointing the Court or Order for trial shall be served upon the accused. Trial of the accused will be had at the time charges are served upon him unless, for good causes shown, the accused should request a delay for trial.

Section 44-188. Process of Courts-Martial, Service Thereof.

Presidents of Courts-Martial and Summary Court Officers shall issue warrants for the arrest of and bringing before the Courts for trial any accused who shall have disobeyed the Order to appear before such Court. They also shall issue any and all other writs, warrants, subpoenas, and such other processes that may be necessary to carry into full effect any and all powers vested in such Courts. Such writs, etc., shall be directed to the Sheriff of the county where the Court is sitting. Every Sheriff who shall have received a lawful writ, warrant, subpoena or other process directed to him by any such Courts-Martial shall forthwith execute it, and make return of his acts thereunder according to the requirements of such writ, etc.

Section 44-189. Form of Process; Duties of Solicitor.

The Presidents of Courts-Martial and Summary Court Officers may request the aid of the Solicitor of the Judicial Circuit in which said Court is sitting for assistance in the issuance of any writ, warrant, subpoena or other process that may be deemed necessary. It shall be the duty of each Solicitor, when so called upon, to assist in the issuance of such writs, etc., and the form shall be that which is deemed by the Solicitor to be most appropriate to the situation and in keeping as near as possible with the form of the writs, etc., of the Courts of General Sessions of the State of South Carolina.

Section 44-190. Appointment of Trial Counsel; Defense Counsel, Reporter.

For each General or Special Court-Martial the appointing authority shall appoint a trial Counsel, a defense counsel, and a reporter. Said trial Counsel and defense counsel must be either a member of the Judge Advocate General's Corps or must be an officer or enlisted man duly admitted to the bar of the State of South Carolina. In any General or Special Court-Martial trial the accused may select, at his own expense, civilian defense counsel. In such cases the regularly appointed defense counsel shall become the assistant defense counsel.

Section 44-191. Oath of Members of Court.

The Trial Counsel of a General or Special Court-Martial shall administer to the members of the court, before they proceed upon any trial, the following oath or affirmation: 'You, A. B., swear (or affirm) that you will well and truly try to determine, according to the evidence, the matter now before you between the State of South Carolina, and the person to be tried and that you will duly administer justice, without partiality, favor or affection according to the provisions of the rules and articles for the government of the National Guard of South Carolina and if any doubt should arise, not explained by said articles, then according to your conscience, and the best of your understanding, do you further swear (or affirm) that you will not divulge the findings or sentence of the court until they shall be published by the proper authority, except to the Trial Counsel; neither will you disclose or discover the vote or opinion of any particular member of the Court-Martial, unless required to give evidence thereof as a witness by a court of justice in due course of law. So help you God.'

Section 44-192. Oath of Court Officials.

When the oath or affirmation has been administered to the members of a General or Special Court-Martial the president of the Court shall administer to the Trial Counsel an oath in the following form: 'Do you, A. B., swear (or affirm) that you will not divulge the findings or sentence of the Court to any but the proper authority until they shall be duly disclosed by the same. So help you God.'

Every reporter of the proceedings of a Court-Martial shall, before entering upon his duties, make oath or affirmation in the following form: 'Do you swear (or affirm) that you will faithfully perform the duties of reporter to this Court. So help you God.'

Section 44-193. Oath of Witnesses.

All persons who give evidence before a Court-Martial shall be examined on oath or affirmation administered by the Trial Counsel in the following form: 'Do you swear (or affirm) that the evidence you shall give in the case now in hearing shall be the truth, the whole truth and nothing but the truth. So help you God.' In case of affirmation the closing sentence of adjuration will be omitted.

Section 44-194. Self-incrimination Not Required of Witness.

No witness before a Court-Martial shall be compelled to incriminate himself or to answer any questions which may tend to incriminate him.

Section 44-195. Challenge of Members.

Members of a Court-Martial may be challenged by the accused in the same manner and procedure as is provided for and prescribed in the Military Laws governing the Armed Forces of the United States of America.

Section 44-196. Refusal to Plead.

When an accused, arraigned before a Court-Martial, stands mute or refuses to answer or plead, or answers foreign to the purpose, the Court shall proceed to trial and judgment as if the accused had pleaded not guilty.

Section 44-197. Statute of Limitations.

No person shall be liable to be tried and punished by a Court-Martial for any offense which appears to have been committed more than two years before the issuing of the order for such trial, unless by reason of having absented himself or of some other manifest impediment he shall not have been amenable to justice within that period.

Section 44-198. Trial by Court-Martial; Not Bar to Trial in State Courts.

Trial by Court-Martial of an accused shall not act as a bar to indictment, trial and punishment by the Courts of General Sessions of South Carolina for violation of any of the criminal laws of the State of South Carolina which the accused may have committed.

Section 44-199. Punishment for Contempt in Open Court.

Any person who (a) shall be guilty of disorderly, contemptuous or insolent behavior in or shall use any insulting, contemptuous or

indecorous language or expression to or before any Court-Martial, or any member of such Court, in open Court, tending to interrupt its proceedings or to impair the respect due to its authority or (b) shall commit any breach of the peace or make any noise or other disturbance directly tending to interrupt proceedings of any such Court may be committed by warrant under the hand of the president of the Court to the jail of the county in which the Court shall sit, there to remain without bail in close confinement for a definite time not exceeding three days.

Section 44-200. Witnesses before Courts-Martial; Deposition.

Courts-Martial shall have the same power as is possessed by the Circuit Courts of the State to compel by subpoenas, by subpoenas *duces tecum* and by attachment the attendance of witnesses, both civilian and military, and the production of books, papers and documents and to institute proceedings for contempt against a witness duly subpoenaed for non-attendance or refusal to be sworn to testify or to produce books, papers and documents. The president of a Court-Martial may exercise the power of the Court to issue subpoenas, subpoenas *duces tecum*, to enforce by attachment the attendance of witnesses and to require the production of books and papers. Courts-Martial may also take or cause to be taken the deposition of witnesses who cannot reasonably be produced at the trial to the same extent as the Circuit Courts aforesaid.

Section 44-201. Enforcing Attendance of Witnesses.

Courts-Martial shall have the authority to institute proceedings in the Civil Courts of this State to enforce the obedience to subpoenas, subpoenas *duces tecum*, or attachments, issued by said Courts-Martial, or to punish persons refusing to be sworn or to testify before such Courts. The Solicitor of any Circuit of the State of South Carolina on the certification of the facts to him by the president of a Court-Martial held in his Circuit shall prosecute for contempt in the Circuit Court any person failing to obey any such subpoenas, subpoenas *duces tecum*, or attachments, or any person refusing to be sworn or to testify, and the punishment of such person on conviction shall be the same as if the offense had been committed within the General Sessions Court of this State.

Section 44-202. Records of Trials; Reviewing Authority.

Each Trial Counsel of a General or Special Court-Martial shall be responsible for the record of all trials by his respective court

and shall as expeditiously as possible forward said record to the Reviewing Authority. In the case of a Summary Court, the Summary Court Officer shall make an informal report to the Reviewing Authority of any and all trials as held.

The Reviewing Authority for all Courts-Martial shall be the same as the Appointing Authority of such Courts.

Section 44-203. Action of Reviewing Authority; Copy of Record and Sentence for Accused.

Upon receipt and review of the records of a Court-Martial, the Reviewing Authority may, in his discretion, approve the sentence, reverse a finding of guilty or mitigate the terms of a sentence, but in no case may he increase any of the provisions of a sentence. No sentence of a Court-Martial shall be put into effect until the same has been passed upon by the Reviewing Authority. In the case of a General or Special Court-Martial, the Reviewing Authority, upon reviewing the record and passing upon the sentence of a Court-Martial, shall return the record to the Trial Counsel of the Court involved. The Trial Counsel, upon receipt of the record and the action of the Reviewing Authority, shall deliver or cause to be delivered a copy of same to the person having been tried and sentenced.

Section 44-204. Maximum Punishments.

A General Court-Martial may sentence a convicted accused to any one of the following sentences:

(a) In the case of an officer, a fine not to exceed the sum of five hundred dollars and, on failure to pay the fine, to serve not more than ninety days in jail, and in the case of an enlisted man, a fine not to exceed three hundred dollars and, on failure to pay the fine, to serve not more than ninety days in jail.

(b) A sentence of confinement not to exceed ninety days in the case of an officer or enlisted man.

In addition to the above, a General Court-Martial may order a dishonorable discharge or dismissal from the National Guard of South Carolina in the case of an officer or enlisted man. When not given a dishonorable discharge or dismissal, an enlisted man may be reduced to the lowest grade in the South Carolina National Guard.

A Special Court-Martial may sentence a convicted accused to any one of the following sentences:

(a) A fine not to exceed two hundred dollars and, on failure to pay the fine, to serve not more than sixty days in jail.

(b) A sentence of confinement not to exceed sixty days.

In addition to the above, a Special Court-Martial may order a reduction to the grade lower than that held by the convicted accused.

A Summary Court-Martial may sentence a convicted accused to any one of the following sentences:

(a) A fine not to exceed sixty dollars and, on failure to pay the fine, to serve not more than thirty days in jail.

(b) A sentence of confinement not to exceed thirty days.

Section 44-205. Not Used.

Section 44-206. Collection of fine.

The amount of any fine imposed under sentence of any Court-Martial on any member of the National Guard of this State when collected shall be paid to the Commanding Officer of the Company, detachment, or unassigned unit to which the person so fined belongs and shall constitute a portion of the military fund for such organization.

Section 44-207. Writ When Fine Not Paid.

When a fine shall have been assessed by a Court-Martial against a member of the National Guard of South Carolina and the proceedings of the Court shall have been passed upon by the Reviewing Authority, and such fine is unpaid, the president, in the case of a General or Special Court-Martial, or the Summary Court Officer, in the case of a Summary Court-Martial, shall issue a writ in substantially the following form.

STATE OF SOUTH CAROLINA
COUNTY OF

To any sheriff or constable in the State, Greetings:

Whereas, of in the county of a member of the National Guard of South Carolina, was on the day of A. D. 19.. tried and found guilty of in violation of and was by Court-Martial sentenced to pay a fine of \$..... or serve days in jail.

Whereas, such fine has not been paid,

Now, Therefore, by authority of the State of South Carolina, you are hereby commanded to take the body of the said

and commit it to the keeper of the jail in the county of
 within such jail, who is hereby commanded to receive
 the body of said and keep him safely until he
 pays the sum above mentioned, or serves days provided
 said fine due shall be reduced proportionately with the number
 of days served.

Fail not but service and return make within thirty days from
 this date.

Dated at in the county of this
 day of, 19...

Name	Rank	Organization
President of _____ Court		
National Guard of South Carolina		

Section 44-208. Writ of Sentence of Confinement.

When a sentence of confinement has been imposed by a Court-Martial against a member of the National Guard of South Carolina and the sentence of the Court shall have been passed upon by the Reviewing Authority, the president, in case of a General or Special Court-Martial, or the Summary Court Officer, in the case of a Summary Court-Martial, shall issue a writ in substantially the following form:

STATE OF SOUTH CAROLINA
 COUNTY OF

To any sheriff or constable in the State, Greetings:

Whereas, of in the county
 of, a member of the National Guard of South
 Carolina, was on the .. day of A. D. 19.. tried
 and found guilty of in violation of
 and was by Court-Martial sentenced to

Now, Therefore, by authority of the State of South Carolina,
 you are hereby commanded to take the body of said
 and commit it to the keeper of the jail in the county of
 within such jail, who is hereby commanded to receive
 the body of said, and keep him safely until he
 serves said sentence.

Fail not but service and return make within thirty days from
 this date

Dated at in the county of
thisday of, 19...

Name	Rank	Organization
President of _____		Court
National Guard of South Carolina		

Section 44-209. Service of Sentence.

When a sentence of confinement is to be served by an accused convicted and sentenced by a Court-Martial, the confinement will be served in the County in which the convicted accused was domiciled at the time of the commission of the offense.

Section 44-210. Disciplinary Action Other Than by Courts-Martial.

Throughout the various echelons of command in all organizations of the South Carolina National Guard, there shall exist the authority to punish minor infractions of discipline without resort to Courts-Martial. This authority shall include the right to reprimand, to the withholding of privileges, to the giving of extra duty and other similar means of disciplining customary in the Armed Forces of the United States. Any accused who feels he is wrongfully accused may refuse to accept such disciplinary punishment and demand trial by a Court-Martial.

Section 44-211. Courts of Inquiry; Appointment and Composition, Power to Take Testimony, etc.

Courts of Inquiry shall be appointed only by the Governor or the Adjutant General and they shall be composed only of officers of the South Carolina National Guard. The number of members of such Courts shall be left to the discretion of the Appointing Authority.

In addition to the member or members of a Court of Inquiry as appointed, the appointing Authority may also appoint to such Court a reporter and such other personnel as he may deem advisable. Such Court shall have the same power as Courts-Martial in the taking of testimony, and in the issuance of writs, warrants, subpoenas, or other processes necessary to carry into full effect the purpose of said Court.

Section 44-212. Costs and Expenses of Courts-Martial and Courts of Inquiry.

All costs and expenses involved in the proceedings of Courts-Martial and Courts of Inquiry shall be paid by the Adjutant General out of the appropriate military funds of this State."

SECTION 2. Repeal.—Chapter 1 of Title 44 of the Code of Laws of South Carolina, 1962, is hereby repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1196, H2671)

No. 997

An Act To Permit Any Judge In Charleston County To Order A Minor Under The Age Of Seventeen To Serve His Sentence On Week Ends, After School Hours Or By Other Arrangements; To Provide For A Youth Guidance Counselor; To Hold Parents Responsible For Minor's Compliance With The Order And To Provide A Penalty Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charleston County—sentencing of minors.—Whenever any judge in Charleston County sentences a minor who has not reached his seventeenth birthday for any offense or revokes such minor's probation, the judge may order the minor to be confined in the Charleston County Juvenile Rehabilitation Center. The judge may order such minor to serve his sentence by reporting to the Juvenile Rehabilitation Center on week ends, after school hours or by any other arrangement as will obtain the rehabilitation of the minor to society. The aggregate of time served on the basis of a split arrangement shall not exceed the term of the sentence or sentences prescribed by law. For the purpose of this act the Judge of the Municipal Court of the City of Charleston shall be included as a judge in Charleston County and shall have concurrent jurisdiction with the Domestic Relations Court of the County of Charleston with respect to offences by minors brought before the Municipal Court of the County of Charleston.

SECTION 2. Penalty for parents when minors fail to comply.—For failing to secure the minor's compliance with the order of the court, the parents or guardian shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than two hundred dollars or imprisoned for not more than thirty days.

SECTION 3. Minors to be separated from adults.—Any minor sentenced to the Juvenile Rehabilitation Center shall be kept separate and apart from adult offenders during sleeping hours and at all times except on such occasions as may be specifically authorized by the youth guidance counselor in charge of the center but no such occasion shall be authorized unless the minor shall be under the personal surveillance and supervision of civilian employees of the Juvenile Rehabilitation Center. Minor offenders may be further separated in confinement and labor on the basis of sex or other distinctions wherever it is deemed reasonably necessary or desirable to safeguard the person or morals of the offender or to further the purposes of this act.

SECTION 4. Juvenile Rehabilitation Center may be established.—The Juvenile Rehabilitation Center may be established and maintained by the County Council for Charleston County on lands owned by the county. If such center is established, then County Council shall provide such personnel and facilities for the confinement, care, labor, supervision, correction, rehabilitation and counseling of minors as may be deemed appropriate or necessary; and such center shall be under the direct supervision of a youth guidance counselor, who shall possess appropriate qualifications for the position and be recommended by the Judge of the Juvenile Court for Charleston County and employed by the County Council at a salary to be fixed by that body.

SECTION 5. Trial to be open to certain persons.—Whenever a hearing or trial is had in any court on a charge of commission of any felony by a minor, persons having a legitimate interest in the proceedings, including responsible representatives of public information media, shall not be excluded from such hearing or trial.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1197, H2674)

No. 998

An Act To Amend Section 14-2066 Of The 1962 Code, Relating To The Powers Of The Greenville County Board Of Commissioners, So As To Permit The Commission To Dispose Of Real Estate Or Personal Property Owned By Greenville County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-2066 amended—powers of board.—Section 14-2066 of the 1962 Code is amended by adding the following :

“The board is authorized to sell, lease, convey, dispose of by general or special warranty deed, contract, or bill of sale any real estate or personal property or any interest therein belonging to Greenville County upon approval by a majority of the members of the Greenville County Legislative Delegation, including the Senator. The proceeds of the sale or disposition of any such property shall be credited by the county treasurer to any agency designated by the County Legislative Delegation.

Any deed, contract, lease or bill of sale executed in accordance with terms set out above will convey the full interest of Greenville County.” The section when amended shall read as follows :

“Section 14-2066. The board shall have supervisory control of all the business and financial affairs of the county, including the designation of the depositories of all county funds and including the approval or disapproval of all expenditures of county funds. But if the commission disapproves of any expenditure of the county funds the county legislative delegation may review such disapproval and its written decision shall be final and conclusive. The board shall execute and carry out the business and financial affairs of the county as directed or provided for by the legislative delegation.

The board is authorized to sell, lease, convey, dispose of by general or special warranty deed, contract, or bill of sale any real estate or personal property or any interest therein belonging to Greenville County upon approval by a majority of the members of the Greenville County Legislative Delegation, including the Senator. The proceeds of the sale or disposition of any such property shall be credited by the county treasurer to any agency designated by the County Legislative Delegation.

Any deed, contract, lease or bill of sale executed in accordance with terms set out above will convey the full interest of Greenville County.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1199, H2699)

No. 999

An Act To Exempt The Property Of The Most Worshipful Prince Hall Grand Lodge Of Free And Accepted Masons And Broad River Lodge No. 377 In Richland County From County Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain property of Masons exempt from taxes in Richland County.—All property owned by The Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons and all property owned by Broad River Lodge No. 377 in Richland County shall be exempt from all county taxes so long as the property is used as a Masonic Lodge.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1202, H1802)

No. 1000

An Act To Amend The 1962 Code By Adding Section 37-231.1 Which Provides For The Licensing Of Insurance Agencies; To Amend Sections 37-235, 37-236, 37-246 And 37-247, Relating To License Fees And Qualifications Of Insurance Agents And Non-resident Insurance Agents And The Countersigning Of Insurance Policies, So As To Further Provide Therefor; And To Repeal Sections 37-237, 37-238 And 37-239, Relating To The Examination Of Certain Insurance Agents And Agents Under Bond And Salaried Employees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 37-231.1 added—insurance agents to obtain licenses.—The Code of 1962 is amended by adding Section 37-231.1 which shall read as follows :

“Section 37-231.1. Every agency, whether corporation, partnership, association or other aggregation of individuals transacting or purporting to transact the business of an insurance agent under a corporate or trade name shall be licensed by the Chief Insurance Commissioner and the term ‘agent’ as used in this title shall be deemed to include such agency except as otherwise specifically provided or unless the context otherwise requires.

Every stockholder, officer, director, member, employee or associate of such agency, performing any act of an agent as enumerated in Section 37-233, must possess a current agents’ license giving authority to transact that particular business.”

SECTION 2. Section 37-235 amended—license fees for agents.—Section 37-235 of the 1962 Code is amended to read as follows:

“Section 37-235. The following annual fees shall be applicable to agents’ licenses: Each local agent, ten dollars; each State, special or general agent twenty-five dollars; each agency ten dollars, except that the fee applicable to any agent of a common carrier who sells only transportation ticket policies on accident and health insurance or baggage insurance on personal effects shall be five dollars. The fees shall be paid in advance. License fees for local, State or special agents shall be paid by the company for whom the agent proposes to act, or by which the proposed agent is vouched for in the application for license. The Chief Insurance Commissioner may issue semi-annual licenses.”

SECTION 3. Section 37-236 amended—licenses—applications—examinations.—Section 37-236 of the 1962 Code is amended to read as follows:

“Section 37-236. Before being issued a license to do business as an agent in this State for any insurance company, as defined in Section 37-2, each applicant shall make written application for such license upon forms to be furnished by the Chief Insurance Commissioner and all information thereon as required by the Chief Insurance Commissioner shall be subscribed to by the applicant under oath. No business may be done by such applicant except following issuance of an agents’ license and no such license shall be issued until the Chief Insurance Commissioner has determined that the applicant is qualified as an insurance agent, generally, and is particularly qualified for the line of business in which the applicant proposes to engage. The Chief Insurance Commissioner shall promulgate regulations setting forth

qualifying standards of agents as to all lines of business and shall, in every case, require the local agent applicant to stand a written examination, except that the Chief Insurance Commissioner, may, as his discretion, waive such examination, and issue temporary licenses for a period not to exceed ninety days, upon demonstrated need; *provided*, that no agent of a common carrier who sells only trip transportation ticket policies of accident and health insurance or baggage insurance on personal effects shall be required to stand a written examination."

SECTION 4. Section 37-246 amended—reciprocal agreements for nonresident agents.—Section 37-246 of the 1962 Code is amended to read as follows:

"Section 37-246. No nonresident of the State shall be licensed as an agent to do business in this State, except that the Chief Insurance Commissioner may enter into reciprocal agreements with the insurance commissioners of other states in regard to licensing of nonresident agents if in his judgment such arrangements or agreements are in the best interest of the State and if the applicant for such license meets the minimum statutory requirements of this State for the issuance of such license but the Chief Insurance Commissioner shall not enter into or continue any reciprocal agreement unless the other state is just as liberal as this State in licensing such nonresident agents."

SECTION 5. Section 37-247 amended—resident agents must transact certain business—exceptions.—Section 37-247 of the 1962 Code is amended to read as follows:

"Section 37-247. All business done in this State by insurance companies doing the business of insurance as defined in this title shall be transacted by their regularly authorized agents residing in this State or through applications of such agents, and all policies, except life insurance policies, so issued must be personally countersigned by such agents. It shall be unlawful for any salaried officer, manager or other representative of any such company to transact for his company any of the business of a licensed agent for which such licensed agent received a commission, unless he himself shall be a bona fide resident licensed agent. But nothing in this section shall be construed to prevent the use, in the discretion of the company, of a countersignature endorsement which on its face is identified with the insurance contract for attachment to which it is issued and which on its face

develops information in respect of such contract, including full premium information, sufficient for the countersigning agent's record and which shall be signed by the countersigning agent. Any such countersignature by the duly licensed agent of the company originating a contract of insurance participated in by other companies as cosureties or coindemnitors shall satisfy all countersignature requirements in respect of such contract of insurance. No provision of this section shall apply to direct insurance covering the rolling stock of railroad corporations or property in transit while in possession and custody of railroad corporations or other common carriers or apply to bid bonds issued by any surety company in connection with any public or private contract."

SECTION 6. Repeal.—Sections 37-237, 37-238 and 37-239 of the 1962 Code are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1203, H1804)

No. 1001

An Act To Amend Chapter 16 Of Title 37 Of The 1962 Code, Relating To Unfair Practices In The Business Of Insurance, So As To Provide The Trade Practices To Be Followed In The Insurance Industry In South Carolina.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Chapter 16 of Title 37 amended—trade practices for insurance industry.—Chapter 16 of Title 37 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following :

"CHAPTER 16

TRADE PRACTICES

Section 37-1201. Definition of person.—When used in this chapter 'person' shall mean any individual, corporation, association, partnership, reciprocal exchange interinsurer, Lloyd's insurer, fraternal benefit society and any other legal entity engaged in the business of insurance, including agents, brokers and adjusters.

Section 37-1202. Purpose of trade practice act; short title—The purpose of this chapter is to regulate trade practices in the business of insurance in accordance with the intent of Congress as expressed in the act of Congress of March 9, 1945, (Public Law 15, 79th Congress) by defining, or providing for the determination of, all such practices in this State which constitute unfair methods of competition or unfair or deceptive acts or practices and by prohibiting the trade practices so defined or determined.

Section 37-1203. Unfair methods, deceptive acts prohibited.—No person shall engage, in this State, in any trade practice, which is defined in this chapter as, or determined pursuant to this chapter to be, an unfair method of competition or an unfair or deceptive act or practice in the business of insurance.

Section 37-1204. Misrepresentation, false advertising of policies.—No person shall make, issue, circulate or cause to be made, issued or circulated, any estimate, proposal, circular or statement misrepresenting the terms of any policy issued or to be issued or the benefits or advantages represented thereby or the dividends or share of the surplus to be received thereon, or make any false or misleading statement as to the dividend or share of surplus previously paid on similar policies, or make any misrepresentation as to the financial condition of any insurer, or as to the legal reserve system upon which any insurer operates, or use any name or title of any policy or class of policies misrepresenting the true nature thereof.

Section 37-1205. False information, advertising.—No person shall make, publish, disseminate, circulate or place before the public or cause, directly or indirectly, to be made, published, disseminated, circulated or placed before the public in a newspaper, magazine or other publication, in the form of a notice, circular, pamphlet, letter or poster, over any radio station, television station or in any other way of advertisement, announcement or statement containing any assertion, representation or statement with respect to the business of insurance or with respect to any person in the conduct of his insurance business which is untrue, deceptive or misleading.

Section 37-1206. Inducing insured to change or alter insurance.—No person shall make any false, misleading, fraudulent or incomplete representations or comparisons of any insurance policies or insurers for the purpose of inducing or intending to induce any person to lapse, forfeit, surrender, terminate, retain, or convert any insurance policy, or to take out a policy in another insurer.

Section 37-1207. Misrepresentations in adjustment of claims.—No person shall, in connection with adjusting any claim, loss, or damage under a contract or policy of insurance, misrepresent to an insured, or any other person having an interest in the proceeds payable under such contract or policy, the terms, coverage or effect of such contract or policy, for the purpose and with the intent of effecting settlement of such claim, loss or damage under such contract or policy on less favorable terms than those provided in and contemplated by such contract or policy.

Section 37-1208. False financial statement.—(1) No person shall file with any supervisory or other public official, or make, publish, disseminate, circulate or deliver to any person, or place before the public, or cause directly or indirectly, to be made, published, disseminated, circulated, delivered to any person, or placed before the public, any false statement of financial condition of an insurer with intent to deceive.

(2) No person shall make any false entry in any book, report or statement of any insurer with intent to deceive any agent or examiner lawfully appointed to examine into its condition or into any of its affairs, or any public official to whom such insurer is required by law to report, or who has authority by law to examine into its condition or into any of its affairs, or, with like intent, willfully omit to make a true entry of any material fact pertaining to the business of the insurer in any book, report or statement of the insurer.

Section 37-1209. Defamation.—No person shall make, publish, circulate or disseminate, directly or indirectly, or aid, abet or encourage the making, publishing, circulating or disseminating any oral or written statement, or any pamphlet, circular, article, or literature which is false or maliciously critical of, or derogatory to the financial condition of an insurer, or of an organization proposing to become an insurer, and which is calculated to injure any person engaged or proposing to engage in the business of insurance.

Section 37-1210. Boycott, intimidation, and coercion.—No person shall enter into any agreement to commit, or by any concerted action commit, any act of boycott, coercion or intimidation resulting in or tending to result in unreasonable restraint of, or monopoly in, the business of insurance.

Section 37-1211. Coercion of business.—(1) No person engaged in selling real or personal property or the financing thereof, or of

lending money on the security thereof, and no trustee, agent, officer, or other employee, of any such person, shall require, as a condition precedent concurrent, or subsequent to the sale or financing the purchase of such property, or to lending money upon the security of a mortgage thereon, or as a condition precedent, concurrent or subsequent for the renewal or extension of any such loan or mortgage, negotiate any policy of insurance or renewal thereof covering such property through a particular insurer or agent.

(2) This section shall not prevent any mortgagee, real or chattel, of the right to designate reasonable financial requirements of the insurer and adequacy of the terms and provisions of the coverage with respect to the property pledged or mortgaged.

Section 37-1212. Unfair discrimination; life insurance, annuities and disability insurance.—(1) No person shall make or permit any unfair discrimination between individuals of the same class and equal expectation of life in the rates charged for any contract of life insurance or of life annuity or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of such contract.

(2) No person shall make or permit any unfair discrimination between individuals of the same class and of essentially the same hazard in the amount of premium, policy fees, or rates charged for any policy or contract of disability insurance or in the benefits payable thereunder, or in any of the terms or conditions of such contract, or in any other manner whatever.

Section 37-1213. Misrepresentations, special inducements, and rebates prohibited on all insurance contracts.—(1) No person shall make, issue, circulate or cause to be made, issued or circulated any estimate, illustration, circular statement misrepresenting the terms of any policy issued or to be issued, the benefits or advantages promised thereby or the dividends or share of the surplus to be received thereon.

(2) No person shall make any false or misleading statement as to the dividends or share of surplus previously paid on similar policies.

(3) No person shall pay, allow or give, or offer to pay, allow or give, directly or indirectly, as inducement to the purchase or the renewal of any insurance contract, any rebate of premiums payable on the contract, any special favor or advantage in any benefits payable thereon, or any valuable consideration or inducement whatever that is not specified in the contract.

Section 37-1214. Exceptions to discrimination, life insurance, annuities, and disability insurance.—Nothing in Sections 37-1212 and

37-1213 shall be construed as including within the definition of discrimination or rebates, any of the following practices:

(1) In the case of any contract of life insurance, life annuity, or disability insurance paying bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from nonparticipating insurance; *provided*, that any such bonuses, or abatement of premiums shall be fair and equitable to policyholders and for the best interests of the insurer and its policyholders.

(2) In the case of life insurance and disability policies issued on the debit plan, making allowance to policyholders who have continuously for a specified period made premium payments directly to an office of the insurer, in an amount which fairly represents the saving in collection expense.

(3) Readjustment of the rate of premium for a group insurance policy based on the loss or expense experience thereunder, at the end of the first or any subsequent policy year of insurance thereunder, which may be made retroactive only for such policy year.

(4) Issuing life or disability insurance policies on a salary savings, bank draft, preauthorized check or payroll deduction plan or other similar plan at a reduced rate reasonably related to the savings made by the use of such plan.

Section 37-1215. Inducements prohibited.—No policy or annuity contract shall provide for, and no person shall, as an inducement to the purchaser thereof or in connection with or as reference to such policy or annuity contract, directly or indirectly:

(1) Pay, allow, give or offer any paid employment or contract for services of any kind;

(2) Give, sell, or purchase or offer or agree to give, sell, purchase, allow or provide for any agreement promising returns and profits, or any stock, bonds or other securities, including trading stamps or other properties or present or contingent interest therein of any insurer or other corporation, association, partnership or person, or any dividends or profits accrued thereon;

(3) Give, allow, arrange for or offer any advisory board contract, or similar contract, promising returns and profits.

Section 37-1216. Advertising gifts permitted.—No provision of Sections 37-1213, 37-1214 or 37-1215 shall be deemed to prohibit a licensed agent from giving to insureds, prospective insureds, and to others, for the purpose of advertising, any article of merchandise having a value of not more than five dollars and shall have advertisement of insurer or agent printed thereon.

Section 37-1217. Free insurance prohibited.—(1) No person in this State shall advertise, offer or provide free insurance as an inducement to the purchase or sale of real or personal property, or of services directly or indirectly connected with such real or personal property.

(2) For the purposes of this section, 'free' insurance is insurance for which no identifiable and additional charge is made to the purchaser of such real property or personal property or services, or insurance for which an identifiable or additional charge is made in an amount less than the cost of such insurance as to the seller or other person, other than the insurer, providing the insurance.

(3) Subsections (1) and (2) do not apply to:

(a) Insurance against loss of or damage to the real or personal property involved in any such sale or services, under a policy covering the interest therein of the seller or vendor.

(b) Credit life or credit accident and health insurance.

(c) Title insurance.

(d) Obligations issued by insurers licensed in this State which shall indemnify against breaches of warranties made in connection with any such sale or services.

(4) No person shall use the word 'free' to describe life or accident and health insurance in connection with the advertising or offering for sale any kind of goods, merchandise or services.

Section 37-1218. Insurance cost specified in sales.—Where the premium or charge for insurance is included in the overall purchase price or financing of the purchase of merchandise or property, the vendor or lender shall separately state and identify the amount charged and to be paid for the insurance, and the classifications, if any, upon which based; and the inclusion or exclusion of the cost of insurance in such purchase price or financing shall not increase, reduce, or otherwise affect any other factor involved in the cost of the merchandise or property or financing as to the purchaser or borrower.

Section 37-1219. Fictitious groups.—(1) No insurer or any person on behalf of any insurer shall make, offer to make, or permit any preference or distinction in property marine, casualty, or surety insurance as to form of policy, certificate, premium, rate, benefits, or conditions of insurance, based upon membership, nonmembership, or employment, of any person by or in any particular group, association, corporation, or organization, and shall not make the fore-

going preference or distinction available in any event based upon any fictitious grouping of persons as defined in this code, such fictitious grouping being hereby defined and declared to be any grouping by way of membership, nonmembership, license, franchise, employment, contract, agreement or any other method or means.

(2) The restrictions and limitations of this section shall not extend to life and disability insurance.

Section 37-1220. When hearing called.—Whenever the Chief Insurance Commissioner shall have reason to believe that any person has been engaged or is engaging in this State in any unfair method of competition or any unfair or deceptive act or practice as defined in this code, and that a proceeding by him in respect thereto would be to the interest of the public, he shall issue and serve upon such person a statement of charges in that respect and notice of a hearing thereon to be held at a time and place fixed in the notice which shall not be less than thirty days after the date of the service thereof.

Section 37-1221. Hearing.—At the time and place fixed for such hearing such person shall have an opportunity to be heard and to show cause why an order should not be made by the Chief Insurance Commissioner requiring such person to cease and desist from the acts, methods, or practices so complained of or such other order as may appear to be warranted. Upon good cause shown, the Chief Insurance Commissioner shall permit any person to intervene, appear and be heard at such hearing by counsel or in person. Nothing contained in this chapter shall require the observance at any such hearing of formal rules of pleading or evidence. The Chief Insurance Commissioner, upon such hearing, may administer oaths, examine and cross-examine witnesses, receive oral and documentary evidence, subpoena witnesses, compel their attendance and require the production of books, papers, records, correspondence or other documents which he deems relevant to the inquiry. The Chief Insurance Commissioner, upon such hearing may, and upon the request of any party shall, cause to be made a stenographic record of all the evidence and all the proceedings had at such hearing. If no stenographic record is made and if a judicial review is sought, the Chief Insurance Commissioner shall prepare a statement of the evidence and proceedings for use on review.

Section 37-1222. Summoning witnesses; contempt; perjury.—The Chief Insurance Commissioner, or any of his deputies, assistants or agents appointed to conduct hearings may summon and compel

the attendance of witnesses to testify in relation to any matter which is, by the provisions of this title, subject of a hearing. The Chief Insurance Commissioner shall have the power of a circuit judge to punish for contempt any witness failing to answer any summons or failing or refusing to testify when so required. The Chief Insurance Commissioner, or any of his deputies, assistants or agents appointed to conduct hearings may also administer oaths and affirmations to persons appearing as witnesses before them and false swearing in the hearing shall be deemed perjury and punished as such.

Section 37-1223. Service of process.—Statements of charges, notices, orders and other processes of the Chief Insurance Commissioner under this chapter may be served by anyone duly authorized either in the manner provided by law for service of process in civil actions or by registering and mailing a copy thereof to the person affected by such statement, notice, order or other process at his residence or principal office or place of business. The verified return by the person so serving such statement, notice, order or other process, setting forth the manner of such service, shall be proof of the service and the return postcard receipt for such statement, notice, order or other process registered and mailed as aforesaid shall be proof of the service thereof.

Section 37-1224. Findings.—If, after such hearing, the Chief Insurance Commissioner shall determine that the method of competition or the act or practice in question is in violation of this code, and that the person complained of has engaged in such method of competition, act or practice in violation of this code, he shall reduce his finding to writing and shall issue and cause to be served upon the person charged with the violation:

(1) An order requiring such person to cease and desist from engaging in such method of competition, act or practice; or

(2) An order suspending or revoking the license or other authority for doing business in this State; or

(3) In lieu of suspension or revocation the persons licensed or other authority to do business in South Carolina, he may pay a fine as imposed by the Chief Insurance Commissioner. The fine, however, shall not exceed five hundred dollars for each offense.

Section 37-1225. Judicial review of findings.—Any person being served with an order after a hearing as provided in Section 37-1224 may obtain a review of the order by filing in the circuit court in and for Richland County, within thirty days from the date of service of

the order, a written petition praying that the order of the Chief Insurance Commissioner be set aside. A copy of the petition will be served upon the Chief Insurance Commissioner and upon receipt thereof he shall certify and file in such court a transcript of the record of the proceeding, including all the evidence taken together with the report and order of the Chief Insurance Commissioner. Upon the filing of the petition and transcript, the court shall have jurisdiction of the proceeding and of the questions determined therein, shall determine whether the filing of such petition shall operate as a stay of the Chief Insurance Commissioner's order, and may make and enter upon the pleadings, evidence and proceedings set forth in such transcript, a decree affirming, modifying or reversing the order of the Chief Insurance Commissioner, in whole or in part. To the extent that the order of the Chief Insurance Commissioner is affirmed, the court shall thereupon issue its own order giving its full force and effect to the order of the Chief Insurance Commissioner.

Section 37-1226. Modification of such order.—(1) At any time before expiration of time allowed for judicial review, whether petition for review has been filed or not, the Chief Insurance Commissioner may, upon such notice and in such manner as he shall deem proper, modify or set aside in whole, or in part, any order issued by him under Section 37-1224.

(2) After expiration of the time allowed for filing a petition for review, if no such petition has been filed, the Chief Insurance Commissioner may, at any time, after notice and opportunity for hearing, reopen and alter, modify or set aside, in whole or in part, any order issued by him under Section 37-1224, whenever in his opinion, conditions of fact or of law have so changed as to require such action or if the public interest shall so require.

Section 37-1227. Additional evidence upon review.—If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceeding before the Chief Insurance Commissioner, the court may order such additional evidence to be taken before the Chief Insurance Commissioner and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Chief Insurance Commissioner may modify his findings of fact or make new findings by reason of the additional evidence so taken, and he shall file such modified or new

findings and his recommendation, if any, for the modification or setting aside his original order with the return of such additional evidence.

Section 37-1228. When order final.—The Chief Insurance Commissioner's order issued under Section 37-1224 becomes final:

(1) Upon the expiration of the time allowed for filing a petition for review, if no such petition has been filed within such time, or

(2) Upon the issuing of a final order by the court affirming the Chief Insurance Commissioner's order or dismissing the petition. Nothing contained herein, however, shall effect the Chief Insurance Commissioner's right to modify or set aside the order delegated in Section 37-1226.

Section 37-1229. Judicial review at instance of intervenor.—If the report of the Chief Insurance Commissioner does not charge a violation of this chapter, then any intervenor in the proceedings may, within thirty days after the service of such report, cause a petition to be filed in the circuit court of Richland County for a review of such report. Upon such review the court shall have authority to issue appropriate orders and decrees in connection therewith, including, if the court finds that it is to the interest of the public, orders enjoining and restraining the continuance of any method of competition, act or practice which finds, notwithstanding such report of the commissioner, constitutes a violation of this chapter.

Section 37-1230. Immunity from prosecution.—If any person shall ask to be excused from attending and testifying or from producing any books, papers, records, correspondence or other documents at any hearing on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to any penalty or forfeiture and shall notwithstanding be directed to give such testimony or produce such evidence, he must nonetheless comply with such direction, but he shall not thereafter be prosecuted or subjected to a penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may testify or produce evidence pursuant thereto, and no testimony so given or evidence produced shall be received against him upon any criminal action, investigation or proceeding. No such individual so testifying shall be exempt from prosecution or punishment for any perjury committed by him while so testifying, and the testimony or evidence so given or produced shall be admissible against him upon any criminal action investigation or proceeding concerning such perjury, nor shall he be exempt from

the refusal, revocation or suspension of any license, permission or authority conferred or to be conferred pursuant to this title. Any such individual may execute, acknowledge and file in the office of the Chief Insurance Commissioner a statement expressly waiving such immunity or privilege in respect to any transaction, matter or thing specified in such statement and thereupon the testimony of such person or such evidence in relation to such transaction, matter or thing may be received or produced before any judge or justice, court, tribunal, grand jury or otherwise, and if so received, or produced, such individual shall not be entitled to any immunity or privilege on account of any testimony he may so give or evidence so produced.

Section 37-1231. Violation of cease and desist order, hearing.—Any person who shall contemptuously violate a cease and desist order of any practice issued by the Chief Insurance Commissioner shall, upon due notice, receive a hearing before the Chief Insurance Commissioner. Upon the determination of the Chief Insurance Commissioner that the contemptuous violation has been committed, the Chief Insurance Commissioner shall issue his order to the effect that the person is in contempt of his order to cease and desist. He will so notify the person charged and impose the penalties provided herein. The same sections applying to hearings, the power of subpoena, service of process and judicial review as previously set forth in this chapter will apply.

Section 37-1232. Penalties.—(1) Any person who contemptuously violates a cease and desist order of the Chief Insurance Commissioner, issued in accordance with Section 37-1224 of this chapter after it has become final and while in effect, shall pay a fine set by the Chief Insurance Commissioner but not to exceed fifty dollars for each day of violation. Should the violation be wilful, however, the fine may be assessed in an amount not to exceed one hundred dollars per day of violation.

Section 37-1233. Fines, collection thereof.—Upon completion of hearing by the Chief Insurance Commissioner as provided in this chapter, and the Chief Insurance Commissioner shall have elected to levy a fine on the person involved, such person shall be so notified in writing by certified mail and of the amount of such fine, and stating that if the fine is not paid within thirty days from the date of receipt of the notice, further action to effect collection under this section will be initiated, together with revocation of the person's license or certificate of authority.

Section 37-1234. Order filed with clerk of court, legal effect of judgment.—When the time for appeal has expired and no appeal has been perfected by the person fined, the Chief Insurance Commissioner shall file with the clerk of court of the county in which the person fined resides and for any other county in which he may own personal or real property, or an interest therein, a copy of the order and thereupon he shall enter in the judgment roll, in the column for judgment debtors, the name of the person fined and in appropriate columns the amount of the fine and costs for which the order calls, and the date when such copy was filed and shall index the order upon the judgment roll index, the order to have the full effect of a civil judgment including rights of the judgment creditor to issue execution and accrue interest at the legal rate until such time as it is satisfied.

Section 37-1235. Execution.—Should the fine remain unpaid after filing the order, the Chief Insurance Commissioner shall levy on the real or personal property or any interest he may have therein, by issuing execution to the sheriff of the county of residence of the person fined. The sheriff shall proceed upon such execution with like effect and in the same manner prescribed by law with respect to executions issued against property upon judgments of a court of record. The sheriff shall be entitled to a fee equivalent to five per cent of the total amount of the warrant for service in executing the order and the clerk of court shall be entitled to the same fees for recording the order as one prescribed by law in respect to executions issued against property upon judgments of a court of record, the fees to be added to and collected with the total amount of the order.

Section 37-1236. Remedies when fine not satisfied in full.—If an order be returned not satisfied in full, the Chief Insurance Commissioner shall have the same remedies to enforce the claim for the fine and costs against the person fined as if the people of the State had recovered judgment against the person fined for the amount of such fine and costs.

Section 37-1237. Payment of fine under protest.—When the Chief Insurance Commissioner shall levy any fine against any person and shall take action to effect collection of the fine under this chapter, if the person so fined shall deem the fine to be unjust or illegal for any cause, he may pay such fine, under protest in writing. Upon such payment being made, the Chief Insurance Commissioner shall pay the fine so collected into the State Treasury, giving the State Treasurer notice at that time that the payment was made under protest.

Section 37-1238. Action for recovery of such fine.—Any person paying any fine levied by the Chief Insurance Commissioner, under protest, may at any time within thirty days after payment, but not afterwards, bring an action against the Chief Insurance Commissioner, for the recovery thereof in the court of common pleas of the county in which the fine was payable, and if it be determined in such action that the fine was wrongfully or illegally levied and collected, for any reason going to the merits, the court before whom the case is tried shall certify of record that the fine was wrongfully collected and should be refunded and thereupon the Comptroller General shall issue his warrant for the refunding of the fine so paid.

Section 37-1239. Attorney General to defend Chief Insurance Commissioner.—The Attorney General shall defend any suit or proceeding against the Chief Insurance Commissioner for the recovery of fines allegedly illegally or unjustly paid under this title, and any judgment against the Chief Insurance Commissioner shall be paid in the manner prescribed in Section 37-1238.

Section 37-1240. Limit of recovery against Chief Insurance Commissioner.—In any action or proceeding against the Chief Insurance Commissioner for the purpose of recovering a fine allegedly, illegally or unjustly collected, the amount received in such suit shall not exceed the amount of the fine paid under protest, together with costs arising from the service of process and procuring the attendance of witnesses.

Section 37-1241. Revocation of license or certificate of authority.—In all cases when it is necessary to file an order with a clerk of court to effect collection of a fine, the license or certificate of authority of the person fined may be summarily revoked or suspended.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

An Act To Amend Item (6) Of Section 65-259 Of The 1962 Code, Relating To Income Tax Deductions, So As To Restrict The Deduction For Casualty Losses To Property Having An Actual Situs In This State And To Amend Section 65-202 Of The 1962 Code, Relating To Definitions For Income Tax Purposes, So As To Add A Definition.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (6) of Section 65-259 amended—deductions for casualty losses.—Item (6) of Section 65-259 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following :

“(6) Losses sustained during the income year on property used in trade or business having an actual situs in this State or on property not connected with trade or business if arising from fire, storms, shipwrecks or other casualties, or theft and if not compensated for by insurance or otherwise. For the purpose of this item the basis for determining the amount of the deduction for any loss shall be the adjusted basis as provided in Article 4 of this Chapter for determining the loss from the sale or other disposition of property.”

SECTION 2. Section 65-202 amended—definition added.—Section 65-202 of the 1962 Code is amended by adding a new item as follows :

“(). The phrase ‘property having an actual situs in this State’ shall include real property physically located within this State and personal property of a bona fide resident of this State wherever situate.”

SECTION 3. Time effective.—Upon approval of the Governor, this act shall be effective for taxable years beginning on or after January 1, 1964.

Approved the 20th day of April, 1964.

(R1208, H2459)

No. 1003

An Act To Provide For The Open Season For The Catching Of Nongame Fish In Williamsburg County, And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Use of nets in Williamsburg County.—It shall be lawful to catch nongame fish with nets having not less than four-inch stretched mesh in Williamsburg County between December first and March first, inclusive. No net shall be extended more than one-half the distance across the waters being fished. No game fish or game fish tackle or equipment shall be in possession while working such nets.

SECTION 2. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than fifty dollars or be imprisoned for not less than thirty days or both, in the discretion of the court.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1210, H2536)

No. 1004

An Act To Provide Supplemental Appropriations For Certain State Departments And Institutions For The Fiscal Year 1963-64; And To Authorize The State To Issue Notes Not To Exceed The Sum Of One Million Four Hundred Eighty-Four Thousand Dollars For Additional Armories, Additional Facilities For Certain State Schools And For The Purchase Of Adjoining Property At The South Carolina State College, And To Provide For The Payment Of The Notes; To Authorize The Refinancing Of Certain Bonds Held By The South Carolina Retirement System; To Repeal Act No. 848 Of The Acts Of 1962; To Amend Section 2 Of Act No. 833 Of The Acts Of 1962, So As To Extend The Use Of Appropriations To The Defense Scholarship Fund; And To Authorize Additional Employees For The Office Of The Speaker Of The House Of Representatives.

Be it enacted by the General Assembly of the State of South Carolina :

PART I

SECTION 1. The following sums of money, if so much be necessary, are hereby appropriated out of the General Fund of the State to supplement appropriations heretofore made for the operation of the State Government during the fiscal year 1963-64 and for such other purposes as may be set forth herein.

SECTION 2. Legislative Department

Item 1. The Senate

Approved Accounts	\$ 25,000.00
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Item 2. House of Representatives

A-1. Salaries

Representatives	5,400.00
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Approved Accounts	45,000.00
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Item 4. Codification of Laws and Legislative Council	
Approved Accounts	5,000.00
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Total	\$ 80,400.00

SECTION 3. Judicial Department

Item 1. Supreme Court	
A-1. Salaries	
Reporter	\$ 286.50

SECTION 4. Secretary of State

Item 2. Administration of Securities Act	
A-1. Salaries	
Secretary	\$ 300.00

The above amount shall be carried forward and used during the fiscal year 1964-65 to correct an error in the said salary in the General Appropriation Act for that year.

SECTION 5. John de la Howe School

To rebuild Power Lines	\$ 17,545.00
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SECTION 6. Superintendent of Education

Item 4. Special Services	
D. Fixed Charges and Contributions	
State Aid for Teachers' Salaries	\$ 2,468,000.00

SECTION 7. Educational Finance Commission

For the Purchase of School Buses	\$ 1,900,000.00
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SECTION 8. Whitten Village

For Maintenance	\$ 25,000.00
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SECTION 9. Children's Bureau

Additional Operating Expenses	\$ 10,000.00
(To be budgeted with the approval of the State Budget and Control Board).	

Provided, that any unexpended balances in the above Appropriation on June 30, 1964, may be carried forward and expended for the same purposes in fiscal year 1964-65.

SECTION 10. Department of Corrections

For Maintenance	\$ 83,000.00
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SECTION 11. State Budget and Control Board

Item 1. Finance Division

Civil Contingent Fund\$ 25,000.00

Item 2. Amend Section 44 of the General Appropriation Act for the fiscal year 1964-65 by authorizing the continued employment of Nell H. Metzger by the Darlington County Library, notwithstanding the age requirement of the State Retirement System.

SECTION 12. Board of Health

Item 1. Repairs to Convalescent Home for Crippled

Children\$ 12,500.00

Item 2. Unused or lapsed funds occurring in State appropriations to the State Board of Health for the fiscal year 1963-64, not to exceed \$45,000.00, may be carried over to the fiscal year 1964-65, for use by the Hospital Construction Section of the State Board of Health, subject to review and approval by the State Budget and Control Board.

SECTION 13. Department of Agriculture**For Egg Law Enforcement**

A-1. Salaries

Inspectors\$ 12,600.00

B-2. Travel 6,000.00

Total\$ 18,600.00

Provided, that any unexpended balances in the above appropriations on June 30, 1964, may be carried forward and expended for the same purposes in fiscal year 1964-65.

SECTION 14. Public Service Commission

The Public Service Commission is authorized to carry forward any balance on June 30, 1964 in the appropriation for Item 1. Administration, A-3. Special Payments: Temporary Professional Services—Litigation, to be expended for the same purposes in fiscal year 1964-65.

SECTION 15. Aeronautics Commission**State Aid for Airport Development**

Clarendon County Airport\$ 30,000.00

Lake City Airport 20,000.00

Total\$ 50,000.00

Provided, that any unexpended balances in the above appropriations on June 30, 1964, may be carried forward and expended for the same purposes in fiscal year 1964-65.

SECTION 16. It is hereby provided that if, and when, Berkeley County shall organize a unit of the National Guard, sufficient funds shall be appropriated for the construction of an armory in Berkeley County.

SECTION 17. The State Treasurer and the Comptroller General are hereby authorized to transfer to an appropriate account in the current appropriation of the State Development Board any balance remaining in the current appropriation for the Nuclear Energy and Space Commission.

SECTION 18. The South Carolina State Highway Department is directed to enter into a Reimbursement Agreement with Greenville County so as to reimburse said county for drainage and grading costs incurred in conjunction with the relocation and construction of approximately two (2) miles of State Secondary Highway, or Frontage Road adjacent to Route I-85 south of Route 146 in Greenville County, such reimbursement to be paid from monies or funds normally accruing to said County from its share of Farm-to-Market or Class "C" monies.

GRAND TOTAL\$ 4,690,631.50

PART II

Permanent Provisions

SECTION 1. Following sections to be permanent laws.—It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent laws of the State of South Carolina, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the Code.

SECTION 2. Speaker of the House may hire additional employees.—The Speaker of the House of Representatives shall have authority to employ such additional employees, not in excess of two, as he deems necessary for the proper operation of his office and upon his approval their salaries as set by him shall be paid from the approved accounts of the House.

SECTION 3. State may issue notes for armories and schools.—

A. The General Assembly has ascertained that the existing facilities of the South Carolina School for the Deaf and the Blind are in need of additional construction, improvements and renovations estimated to cost approximately nine hundred seventeen thousand dollars, which includes plans and other preliminary expenses incident thereto.

The General Assembly authorizes the Board of Commissioners of the School for the Deaf and the Blind to construct and equip additional dormitory, classroom and dining facilities and to repair and improve existing facilities, at a cost not to exceed the sum of nine hundred seventeen thousand dollars.

School for the Deaf and the Blind\$ 917,000.00

B. In addition to the needs for the School for the Deaf and the Blind, the General Assembly has ascertained that an armory is required at Clemson Agricultural College and each of the Cities of Anderson, Greenwood, Rock Hill, Darlington, Lancaster and Easley, and such construction is hereby authorized at a cost as follows:

(1) Clemson Agricultural College	\$ 45,000.00
(2) City of Anderson	55,000.00
(3) City of Greenwood	20,000.00
(4) City of Rock Hill	20,000.00
(5) City of Darlington	35,000.00
(6) City of Lancaster	55,000.00
(7) City of Easley	35,000.00

\$ 265,000.00

C. The General Assembly further finds that in addition to the construction authorized in the foregoing subsections A and B of this section, further additional construction is needed at Clemson College and the construction of additional facilities are required for the proper operation of the John G. Richards Industrial School. Also The South Carolina State College is in need of the acquisition of additional property which adjoins that now owned by the college. The General Assembly has therefore determined to authorize the following construction and acquisition of property, and to authorize the following expenditures in each instance:

(1) Poultry facility for Clemson College	\$ 100,000.00
(2) Additional facilities at John G. Richards Industrial School	177,000.00

(3) Purchase of adjoining property at South Carolina State College	25,000.00
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	\$ 302,000.00

GRAND TOTAL\$1,484,000.00

D. The Governor and the State Treasurer, having first obtained the approval of the State Budget and Control Board (hereafter referred to as the Board), expressed by proper Resolution, shall be empowered to issue notes of the State to the extent of not exceeding one million four hundred eighty-four thousand dollars. The notes shall mature in fifteen successive, and in substantially equal (to the nearest five thousand dollars) annual instalments, each maturing on anniversaries of the date the notes bear. The notes may, at the discretion of the Board, be made subject to redemption prior to their stated maturities on such occasions and under such conditions as the Board shall prescribe. The notes shall bear interest payable annually or semi-annually, at such rate or rates as the Board may prescribe.

E. All notes issued pursuant to this section shall be signed by the Governor and the State Treasurer. The Great Seal of the State shall be affixed to or reproduced upon each of them, and each shall be attested by the Secretary of State. The delivery of the notes so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution or authentication. The notes shall be in such form as the Board shall prescribe, and may be issued as a single fully registered note.

F. The principal and interest on the notes issued pursuant to this section shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

G. For the payment of the principal of and interest on the notes issued pursuant to this section there shall be pledged so much thereof as may be needed of the revenue derived from the tax imposed pursuant to Article 1, Chapter 12, Title 65, Code of Laws of South Carolina, 1962. Until payment of such principal and interest has been made or has been provided for, all sums received in each fiscal year from the tax referred to above shall be delivered to the State Treasurer and shall be applied by him to the payment of the principal and interest, and to the debt servicing of other outstanding obligations of the State also secured by a pledge of such revenues. Thereafter, further revenues from such tax for such fiscal year may be used for

other purposes. The General Assembly takes note of the fact that there are presently outstanding obligations of the State of South Carolina payable from the tax pledged, and it is hereby declared that the notes authorized by this section shall in all respects be on a parity with such outstanding obligations. The pledge of revenues derived from the tax herein referred to shall not preclude the issuance by the State of further obligations secured, in whole or in part, by a pledge of such revenues on a parity with the pledge herein authorized, nor shall the pledge of revenue derived from such tax preclude the revision of such tax as to rate or method, either or both, if the State Auditor shall certify that his estimate of the revenue to be derived annually from the tax as thus revised will not be less than one hundred and twenty-five per cent of that sum which is equal to the maximum annual principal and interest requirements on all notes or obligations of the State for which the revenues derived from this tax have been pledged. The certificate shall be appended to the enrolled act and be presented to the Joint Assembly on the occasion the act is presented for ratification.

H. The Board may, in its capacity as Trustee of the funds of the South Carolina Retirement System, purchase the notes herein authorized as an investment of the funds.

I. The proceeds derived from the sale of the notes authorized by this act shall be deposited with the State Treasurer and shall be expended by or on behalf of the purposes provided for in this section.

SECTION 4. Refinancing of bonds held by S. C. Retirement System.—The State Budget and Control Board is authorized to refinance the bonds held by the South Carolina Retirement System dated November 1, 1962, which were issued for additional facilities for the South Carolina Penitentiary so as to extend the period of liquidation to twenty years instead of ten years.

SECTION 5. Act 848 of 1962 repealed.—Act No. 848 of the Acts of 1962 is hereby repealed.

SECTION 6. Section 2 of Act 833 of 1962 amended.—Section 2 of Act No. 833 of the Acts of 1962 is amended by adding at the end thereof the following:

“Appropriations to the South Carolina Defense Scholarship Fund may also be used for participation as loan guarantees provided under the College Reserve Program of the United Student Aid Funds, Incorporate.”

End of Part II

All acts or parts of acts inconsistent herewith are repealed.

This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1213, H2612)

No. 1005

An Act To Provide For A Referendum As To The Creation Of The North Spartanburg Area Fire District In Spartanburg County And To Provide For Its Creation In The Event Of A Favorable Vote; To Provide For A Board Of Fire Control For The District; To Prescribe The Powers, Duties And Membership Of The Board; To Provide For Tax Levies; And To Provide Penalties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Referendum concerning creation of North Spartanburg Area Fire District.—The Spartanburg County Commissioners of Election shall conduct a referendum on the second Tuesday in June, 1964, to ascertain the wishes of the qualified electors residing within the proposed North Spartanburg Area Fire District on the question of whether or not they favor the establishment of a rural fire district and favor the necessary tax levy.

The commissioners of election shall publish the information relating to the referendum once a week for two consecutive weeks in a newspaper having general circulation in the area.

SECTION 2. Conduct of election.—The commissioners of election shall have printed a sufficient number of ballots and have them distributed at the voting places. The ballots shall read as follows:

“Do you favor establishing and operating a rural fire department in the North Spartanburg area and the necessary tax levy?

In favor of ☐

Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to’.”

Only those persons otherwise qualified and owning taxable property within the area shall be entitled to vote. The officials responsible for canvassing the results of the election shall, within ten days, certify such results to the clerk of court of the county and to the Secretary of State.

SECTION 3. North Spartanburg Area Fire District created if election favorable.—If a majority of those voting in the election vote in favor of the creation of the fire district, there is hereby established the North Spartanburg Area Fire District in Spartanburg County encompassed within the following area: All that area in Spartanburg County as shown on page 560 of Plat Book 47 in the office of the register of mesne conveyances.

SECTION 4. Board of fire control established.—After the creation of the North Spartanburg Area Fire District, there is established a board of fire control for the district to be composed of five members who shall be appointed by the Governor upon the recommendation of a majority of the Spartanburg County Legislative Delegation. *Provided*, that of those first appointed one member shall serve for a term of one year, two members shall serve for terms of four years and two members shall serve for terms of six years or until their successors are appointed and qualify. The members of the board shall serve without pay and shall file annually a report with the Spartanburg County Board of Control not later than the first of November of each year, showing all activities and disbursements made by the board during the year.

If at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose of electing a member to the board to succeed the member whose term will expire during such year, for a six-year term. Thereafter, members shall be elected in each succeeding general election for terms of six years.

SECTION 5. Duties.—The board shall have the following duties and responsibilities:

(a) To buy such fire fighting equipment as the board deems necessary for the purpose of controlling fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the area where the fire fighting equipment shall be kept.

(c) To provide and select the drivers and other volunteer firemen to man such equipment who shall serve without compensation.

(d) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of the area.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(g) To construct, if necessary, buildings to house the equipment authorized herein.

(h) To borrow not exceeding twenty-five thousand dollars on such terms and for such a period as to the fire control board may seem most beneficial for the fire district in anticipation of taxes. The indebtedness shall be evidenced by a note issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the North Spartanburg Area Fire District is hereby pledged for the payment of the indebtedness.

SECTION 6. Tax levy.—The Auditor and Treasurer of Spartanburg County are hereby directed to levy and collect a tax of not more than four mills, to be determined by the board of fire control, upon all the taxable property of the district for the purpose of defraying the expenses incurred by the board. All monies collected from this levy shall be credited to the fire district.

SECTION 7. Supervision of equipment.—The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

SECTION 8. Enforcement of fire laws.—All members of the truck company of the district may direct and control traffic at the scene of any fire in the area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 9. Unlawful acts—penalties.—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire department in the district, and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment not exceeding thirty days.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1214, H2648)

No. 1006

An Act Providing For The Fees Of The Clerk Of Court Of Common Pleas Of Chesterfield County And To Repeal Section 27-79 Of The 1962 Code, Relating To Satisfaction Of Mortgages In Chesterfield County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Clerk of Court fees for Chesterfield County.—The fees of the Clerk of Court of Common Pleas of Chesterfield County shall be as follows:

(1) Recording deeds, first page	\$ 1.75
Additional pages, each75
(2) Recording mortgages, first page	1.75
Additional pages, each75
(3) Recording Plats, one-half page or less	1.00
More than one-half page	2.00
Photostat of plat	1.00
(4) Entering on docket	1.00
(5) Filing summons and complaint	2.00
(6) Enrolling judgment (minimum)	5.00
Plus 75¢ per page in excess of five pages.	
(7) Appointment of guardian ad litem	1.00
(8) Making and certifying any order, first page	2.00
Additional pages, each50
(9) Appeal from magistrate's court	3.00
(10) Entering satisfaction on chattel mortgage25

(11) Recording rights of way and easements of real property—first page	1.75
Additional pages, each75
(12) Separate releases; for release on real estate mortgage (one page)	1.00
For release on deed (one page)	1.00
(13) Recording chattel mortgages, over one hundred dollars	1.25
Recording chattel mortgage with copy	1.00
Recording chattel mortgage, under one hundred dollars75
(14) Satisfaction of real estate mortgage50
(15) Assignment of mortgages75
(16) Miscellaneous recording, first page	1.50
Additional pages, each75
(17) Birth and death certificates	1.00
(18) Charters, regular	2.00
Amendment	1.00
Extra pages, each	1.00
(19) Lis pendens	1.00
(20) Mechanics' liens—short form	1.50
Extra pages, each75
(21) Military Service discharge	No charge

SECTION 2. Repeal.—Section 27-79 of the 1962 Code is hereby repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1216, H2662)

No. 1007

An Act To Authorize The Treasurer And The Tax Collector For Richland County To Collect Property Taxes For The City Of Columbia.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Treasurer of Richland County may collect taxes for City of Columbia.—Upon agreement by the City and County, the

Treasurer of Richland County is authorized to accept from the City of Columbia the amount of the annual levy for city property taxes by the first day of July of each year, and shall include in the annual property tax notices of Richland County the amount of the levy for city taxes and a statement that such taxes shall be due and payable to the Treasurer of Richland County as now required by law for county property taxes.

SECTION 2. May also collect delinquent taxes for city.—Upon agreement by the City and county, the Tax Collector for Richland County is authorized to collect delinquent property taxes for the City of Columbia in the same manner as now required by law for county property taxes.

SECTION 3. Deposit and transfer of monies.—Any taxes collected by the Treasurer or the Tax Collector of Richland County for the City of Columbia shall be deposited in separate accounts designated "City of Columbia Property Taxes", and on the first and fifteenth of each month they shall pay the city the amount thereof together with a statement of the taxes collected.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1222, H2706)

No. 1008

An Act To Grant Additional Powers And Jurisdiction To The Juvenile And Domestic Relations Court Of Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Additional powers and jurisdiction for Juvenile and Domestic Relations Court of Greenwood County.—In addition to the jurisdiction and powers conferred upon the Juvenile and Domestic Relations Court of Greenwood County, the court shall have jurisdiction and powers as set forth in Sections 15-1221, 15-1222, 15-1226 to 15-1237 inclusive; 15-1239 to 15-1241 inclusive; 15-1243, 15-1244, 15-1246 to 15-1252 inclusive; 15-1254 to 15-1260 inclusive and 15-1264 to 15-1274 inclusive of the 1962 Code.

In the exercise of its jurisdiction, the court shall have powers:

(1) To order support of a wife, child or stepchild or both, irrespective of whether they are likely to become a public charge;

(2) To include in the requirements of an order for support the providing of necessary shelter, food, clothing, care, medical attention, expenses of confinement, expense of educating the child, payment of funeral expenses and other proper and reasonable expenses;

(3) To require of persons legally chargeable with the support of a wife, child or stepchild who are possessed of sufficient means or who are able to earn such means the payment weekly or at other fixed periods of a fair and reasonable sum for such support or as a contribution towards such support, according to the means of the persons so chargeable;

(4) To make all order for support run until further order of the court except that orders for support of a child shall run until the child is twenty-one years of age or, when there are physical or mental disabilities of the child or other exceptional circumstances that warrant it, in the discretion of the court during any period and beyond the child's minority as such physical or mental disabilities may continue;

(5) To require the support of a wife who needs support when there are no children, even though there is no physical or mental disability;

(6) To make an order for support of a wife by the husband, even though she may have left the home, when the husband's conduct or condition or his cruel or inhuman behavior made it unsafe, improper or undesirable for her to continue to live with him;

(7) To make an "order of protection" in assistance or as a condition of an order for support, setting forth conditions of behavior to be observed for a specified time which shall be binding upon husbands or wives or both, or upon parties to the proceeding as provided in Section 15-1227, either during the pendency of the proceeding or in the final judgment or in furtherance thereof or both;

(8) To award the custody of the children during the term of any order of protection to either spouse or an appropriate relative or other person or to a child welfare agency or institution;

(9) To determine the manner in which sums ordered paid for support shall be paid and applied;

(10) To require a person ordered to support another to give security by a written undertaking that he will pay the sums ordered by the court for such support and, upon the failure of any person to

give such security by a written undertaking when required by order of the court, to punish such person under the provisions of item (18) of this section; and, when appropriate, to discharge any such undertaking;

(11) In lieu of requiring an undertaking, to suspend sentence and place on probation a person who has failed to support another as required by law and to determine the conditions of such probation and require them to be observed; to revoke such suspension of sentence and probation when circumstances warrant it and to discharge a respondent from probation;

(12) To commit to jail as for contempt of court for a term not to exceed twelve months a person who fails to obey the lawful orders of the court, but such commitment shall not prevent the court from subsequently committing such person for failure thereafter to comply with such orders;

(13) To release on probation prior to the expiration of the full term a person committed to jail for failure to obey an order of the court or upon conviction for nonsupport when the court is satisfied that the best interests of the family and the community will be served thereby;

(14) To modify or vacate any order issued by the court;

(15) To order either before, during or after a hearing a mental, physical and psychiatric examination of the petitioner or respondent;

(16) To commit for purposes of observation, in the manner provided by law for a probate judge or as provided in Section 32-969, a person before the court whom the court has reason to believe may be insane;

(17) To exclude the public from the courtroom in a proper case;

(18) To punish any person guilty of a contempt of court as provided by law;

(19) To send process or other mandates in any matter in which it has jurisdiction into any county of the State for service or execution in like manner and with the same force and effect as similar process or mandates of the circuit courts as provided by law;

(20) To compel the attendance of witnesses;

(21) To make any order necessary to carry out and enforce the provisions of this act and to hear and determine any questions of support, custody, separation or any other matter over which the family court has equitable jurisdiction, without the intervention of a jury; and

(22) To remain for not more than five days for purposes of investigation or to admit to bail or to parole on his own recognizance or in the custody of counsel a person charged with nonsupport.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1223, H2707)

No. 1009

An Act To Amend Section 43-802 Of The 1962 Code, As Amended, Relating To Jurisdiction Of Magistrates In Greenwood County, So As To Add A Magistrate For Troy Township.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 43-802 amended—designation and jurisdiction of magistrates for Greenwood County.—Section 43-802 of the 1962 Code, as amended by Act 986 of 1962, is further amended by striking it out and inserting in lieu thereof the following :

“Section 43-802. There shall be the following magistrates for Greenwood County who shall have criminal and civil jurisdiction in their respective districts except as otherwise provided :

One magistrate for Greenwood Township, who shall have exclusive jurisdiction in Greenwood Township and concurrent jurisdiction throughout Greenwood County ;

One magistrate for Walnut Grove Township ;

One magistrate for both Hodges and Cokesbury Townships ;

One magistrate for both Kinard and Brooks Townships ;

One magistrate for Ninety Six Township ;

One magistrate for Callison, Kirksey and Phoenix Townships ; and

One magistrate for Troy Township.

All other townships not mentioned above shall be under the jurisdiction of the magistrate of Greenwood Township under and by virtue of his countywide jurisdiction.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1225, H2709)

No. 1010**An Act To Abolish The Office Of County Superintendent Of Education For Greenwood County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Office of county superintendent of education abolished.—At the expiration of the term of office of the present incumbent, July 1, 1965, the office of county superintendent of education shall be abolished.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1226, H2710)

No. 1011**An Act To Provide For The Nomination Of Magistrates In Greenwood County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Nomination of magistrates in Greenwood County.—Each magistrate in Greenwood County shall be nominated in the primary by the qualified electors residing within the territory over which he has jurisdiction.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1227, H2711); (R1366, H2729)

No. 1012**An Act To Repeal Section 51-228 Of The 1962 Code, Relating To The Licensing Of Boats Operated On Broadaway Lake In Anderson County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Repeal. Section 51-228 of the 1962 Code is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1229, H2715)

No. 1013.

An Act To Amend Section 21-3601 Of The Code Of 1962, Relating To The Newberry County Board Of Education, So As To Provide For An Additional Member.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-3601 amended—Newberry County Board of Education.—Section 21-3601 of the 1962 Code is amended to read as follows :

“Section 21-3601. In Newberry County the county board of education shall be composed of the county superintendent of education, who shall be an ex officio member, and eight other qualified persons who shall be appointed by the Governor upon the recommendation of the Senator and at least one-half of the members of the House of Representatives. The duties of the county superintendent of education shall be such as are assigned to him by the county board of education. Of the eight members other than the county superintendent of education, one each shall come from the areas of Pomaria, Little Mountain, Prosperity, Silverstreet, Bush River, Newberry and Whitmire and one from the county-at-large. The eight memberships other than that of the county superintendent of education shall be numbered from one through seven and one member-at-large, and the term of office of each membership shall be as follows: memberships one and two shall be for four years; memberships three and four shall be for three years; memberships five and six shall be for two years; membership seven shall be for one year and the member-at-large shall be for two years. After the expiration of the terms of the initial appointments hereunder, all appointments shall be for a term of four years. The member-at-large shall represent Gallman High School. Other than the county superintendent of education, no person employed in the public school system shall be eligible for membership on the board.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1230, H2717)

No. 1014

An Act To Provide For The Criminal Jurisdiction Of Magistrates In Marion County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Criminal jurisdiction of magistrates in Marion County.—Notwithstanding any other provision of law to the contrary, in criminal matters the magistrates in Marion County may impose fines not to exceed two hundred dollars.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1231, H2718)

No. 1015

An Act To Provide For A Referendum As To The Creation Of The North Trenholm Fire District In Richland County; To Provide For Its Creation In The Event Of A Favorable Vote; To Provide For Tax Levies; And To Provide Penalties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Referendum concerning creation of North Trenholm Fire District.—The Richland County Commissioners of Election shall conduct a referendum on the second Tuesday in August, 1964, to ascertain the wishes of the qualified electors residing within the proposed North Trenholm Fire District on the question of whether or not they favor the establishment of a rural fire district and favor the necessary tax levy.

The commissioners of election shall publish the information relating to the referendum once a week for two consecutive weeks in a newspaper having general circulation in the area.

SECTION 2. Conduct of election.—The commissioners of election shall have printed a sufficient number of ballots and have them distributed at the voting places. The ballots shall read as follows: “Do you favor establishing and operating a rural fire department in the North Trenholm area and the necessary tax levy?

In favor of ☐

Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to.’”

Only those persons otherwise qualified and owning taxable property within the area shall be entitled to vote. The officials responsible for canvassing the results of the election shall, within ten days, certify such results to the clerk of court of the county and to the Secretary of State.

SECTION 3. North Trenholm Fire District created if election favorable.—If a majority of those voting in the election vote in favor of the creation of the fire district, there is hereby established the North Trenholm Fire District in Richland County bounded as follows:

Beginning at a point on Percival Road where the division line between the Columbia Fire Department and the North Trenholm Fire Department converge going northeasterly along Percival Road to a point where it intersects with the old Percival Road, thence going along old Percival Road to a point where it intersects with Alpine Road, thence turning and running in a northerly direction along Alpine Road to a point where it intersects with Lake Windsor Road, thence along Lake Windsor Road in a northerly direction to a point where it intersects with U. S. Highway No. 1, and thence along U. S. Highway No. 1 in a southwesterly direction to a point where it intersects with Rabon Road, thence along Rabon Road in a northerly direction to a point where it intersects with Farrow Road, thence along Farrow Road in a westerly direction and in a southwesterly direction to a point where it converges with the division line between the Columbia Fire Department and the North Trenholm Fire Department, thence in a southerly direction along such division line to the point of origin, all of which area is shown on a map of the North Trenholm Fire District prepared on July 15, 1962.

SECTION 4. Board of fire control established.—After the creation of the North Trenholm Fire District, there is established a board of fire control for the district to be composed of seven members who shall be appointed by the Governor upon the recommendation of a majority of the Richland County Legislative Delegation, including the Senator. The original members of the board shall be appointed as follows: three shall be appointed for a term of two years; four shall be appointed for a term of four years. The members of the board shall serve without pay and shall file annually a report with the Richland County Governing Body not later than the first of November of each year, showing all activities and disbursements made by the board during the year.

If at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose of electing a member to the board to succeed the member whose term will expire during such year, for a four-year term. Thereafter, members shall be elected in each succeeding general election for terms of four years.

SECTION 5. Duties.—The board shall have the following duties and responsibilities:

(a) To buy such fire fighting equipment as the board deems necessary for the purpose of controlling fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the area where the fire fighting equipment shall be kept.

(c) To provide and select the drivers and other volunteer firemen to man such equipment who shall serve without compensation.

(d) To provide for the hiring and paying of such permanent, full-time firemen as shall be necessary to qualify this fire district for the most advantageous fire protection classification as established by the rating authorities.

(e) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of the area.

(f) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(g) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(h) To construct, if necessary, buildings to house the equipment authorized herein.

(i) To borrow not exceeding twenty thousand dollars on such terms and for such a period as to the fire control board may seem most beneficial for the fire district, in anticipation of taxes. The indebtedness shall be evidenced by a note or notes issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the North Trenholm Fire District is hereby irrevocably pledged for the payment of the indebtedness.

SECTION 6. Tax levy.—The Auditor and Treasurer of Richland County are hereby directed to levy and collect a tax of not more than five mills, to be determined by the board of fire control, upon all the taxable property of the district for the purpose of defraying the expenses incurred by the board. All monies collected from this levy shall be credited to the fire district.

SECTION 7. Supervision of equipment.—The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

SECTION 8. Enforcement of fire laws.—All members of the truck company of the district may direct and control traffic at the scene of any fire in the area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 9. Unlawful acts—penalties.—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire department in the district, and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment not exceeding thirty days.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1232, S559)

No. 1016

An Act To Establish The Cherokee County Airport Commission; To Authorize Certain Expenditures By The Commission; And To Repeal Sections 2-251 Through 2-254 Of The 1962 Code, Relating To The Gaffney-Cherokee County Airport Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Cherokee County Airport Commission created.—

The Cherokee County Airport Commission is hereby created to consist of three members who shall be appointed by the Governor upon the recommendation of a majority of the Cherokee County Legislative Delegation. Of the members appointed initially, one shall be appointed for a term of one year, one shall be appointed for a term of two years and one shall be appointed for a term of three years after which their successors shall be appointed for terms of three years each or until their successors are appointed and qualify. All vacancies shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

SECTION 2. Officers.—The commission shall elect from its membership a chairman and such other officers as it may deem necessary, each for a term of one year and until his successor has been elected and qualifies.

SECTION 3. Powers and duties.—There is hereby committed to the commission the functions of planning, establishing, developing, constructing, enlarging, improving, maintaining, equipping, operating, regulating, protecting and policing an airport and air navigation facility to serve the people of the county and the public generally. To this end, the commission may :

- (1) Have and enjoy perpetual succession.
- (2) Adopt, use and alter a corporate seal.
- (3) Make bylaws for the management and regulation of its affairs and define a quorum for its meetings, which shall require the presence of at least two members.
- (4) Plan, establish, develop, construct, enlarge, improve, maintain, which term shall include, here as hereafter, the power to establish a reasonable reserve for maintenance, equip, operate, regulate, protect and police its airport and air navigation facility under such reasonable rules and regulations as the commission may from time to time promulgate.

(5) Maintain and extend runways, terminals, maintenance shops, access roads, utilities systems, concessions, accommodations and other facilities of whatever nature or kind for the comfort and accommodation of air travelers and air freight; purchase and sell supplies, goods and commodities as an incident to the operation of its airport facilities; and for all such purposes, the commission may, by purchase, gift, devise, lease, or otherwise, acquire, hold, develop, use and lease any property, real or personal, or any interest therein, including easements in airport hazards or land outside the boundaries of its airport or airport site, necessary to permit the removal, elimination, obstruction-marking or obstruction-lighting of airport hazards or to prevent the establishment of airport hazards; *provided*, that the commission in exercising such power shall in addition to any damages for the taking, injury or destruction of any property also pay the cost of removal and relocation of any structures, railways, mains, pipes, conduits, wires, cables, poles or public utility which is required to be removed to any location.

(6) License, lease, rent, sell or otherwise provide for the use of any of its airport facilities, and facilities auxiliary thereto, including the privilege of supplying goods, commodities, things, services or facilities at such airport by itself or by any persons qualified therefor, on such terms and conditions as its discretion may dictate; *provided*, that in no case shall the public be deprived of its rightful, equal and uniform use of its airport and air navigation facility.

(7) Place in effect and, from time to time, revise such schedules of licenses, rates, and charges for the use of its facilities as may be necessary or desirable to the orderly operation of its airport facility; *provided*, that all such rates and charges shall be reasonable and nondiscriminatory; and *provided, further*, that the provisions of this item shall not be construed to be in conflict with the provisions of item (6) of this section, which authorize the leasing of land and buildings auxiliary to its airport facility.

(8) Appoint officers, agents, employees and servants and prescribe the duties of such, including the right to appoint persons charged with the duty of enforcing the rules and regulations promulgated pursuant to the provisions of this article, fix their compensation and determine if and to what extent they shall be bonded for the faithful performance of their duties.

(9) Employ engineers, architects and attorneys and contract for such other services of a technical or professional nature as may be

necessary or desirable to the performance of the duties of the commission.

(10) Make contracts for the construction, erection, maintenance and repair of the facilities in its charge.

(11) Deposit moneys derived under the provisions of this act with the county treasurer.

(12) Apply for, accept, receive, receipt for, disburse and expend Federal, State, county or municipal moneys and other moneys, public or private, made available by grant or loan, or both, to accomplish, in whole or in part, any of the purposes of this article. All Federal moneys accepted under this item shall be accepted and expended by the Commission upon such terms and conditions as are prescribed by the United States and as are consistent with State law, and all other moneys accepted under this item shall be accepted and expended by the Commission upon such terms and conditions as are prescribed by the State or other sources thereof.

(13) Do all other acts and things necessary or convenient to carry out any function or power committed or granted to it.

SECTION 4. Exempt from taxes.—Property and income of the commission shall be exempt from all taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 5. Compensation.—The members of the commission shall be authorized a per diem of ten dollars each for each meeting, provided the member shall not be paid for more than two meetings in any one month.

SECTION 6. Appropriation.—Authority is granted to spend the sum of twenty-five thousand dollars from the general fund of Cherokee County, upon approval by a majority of the Legislative Delegation, to match State and Federal Funds for construction of an airport in Cherokee County.

SECTION 7. Repeal.—Sections 2-251 through 2-254 of the 1962 Code are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1233, S729)

No. 1017

An Act To Create The Beaufort Rural Fire District In Beaufort County; To Authorize The Issuance Of Bonds; To Provide For Penalties; To Provide For An Election; And To Repeal Act No. 925 Of 1962, Relating To Rural Fire Control In Beaufort County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Beaufort Rural Fire District created.—There is hereby created the Beaufort Rural Fire District in Beaufort County to be composed of all townships in the county whose qualified electors approve thereof in the election hereinafter provided for. *Provided*, that Daufuskie Island in Hilton Head Township shall not be included nor shall the qualified electors thereof participate in the election.

SECTION 2. To be governed by a commission.—The district shall be a public corporation and be governed by a commission, to be known as the Beaufort Rural Fire District Commission. The commission shall consist of five resident electors of the district, at least one of whom shall be from each township within the district, who shall be appointed by the Governor upon the recommendation of a majority of the county legislative delegation, including the Senator. Their terms shall be for four years and until their successors have been elected and qualify, except of those first appointed two shall serve for terms of two years. Any vacancy shall be filled in the same manner as the original appointment for the unexpired portion of the term.

SECTION 3. Powers and duties.—There is committed to the district the functions of constructing, operating, maintaining, improving and extending a fire protection and fire control district. To that end the commission shall be empowered as follows :

1. Have perpetual succession.
2. Sue and be sued.
3. Adopt, use and alter a corporate seal.
4. Make bylaws for the management and regulation of its affairs.
5. Acquire, purchase, hold, use, lease, mortgage, sell, transfer, and dispose of any property, real, personal or mixed, or any interest therein.

6. Enter into contracts for the purchase of water and for maintenance of water pipes, hydrants, valves, and all equipment necessary to provide water for protection against and control of fire.

7. Appoint officers, agents, employees and servants, prescribe the duties of such, fix their compensation, and determine if and to what extent they shall be bonded for the faithful performance of their duties.

One of the employees shall be a District Fire Marshal who shall be technically qualified by training and experience and shall have ability to command men and hold their respect and confidence.

(a) The District Fire Marshal, or his assistants, shall conduct suitable drills or instruction in the operation and handling of equipment, first aid and rescue work, salvage, a study of buildings in the county, fire prevention, water supplies, and all other matters generally considered essential to good firemanship and safety of life and property from fire.

(b) The District Fire Marshal is hereby required to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin, and circumstances of all fires.

(c) The District Fire Marshal shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the department.

8. Make contracts for construction, engineering and other services with or without competitive bidding.

9. To purchase such fire fighting equipment as the commission deems necessary for controlling fires and furnishing fire protection in the district. The fire trucks shall be standard equipment and as nearly uniform as possible so as to allow interchange and coordinated use in an emergency and to make possible efficient and economic maintenance and upkeep. All such equipment purchased under this act shall remain the property of the district. The commission may assign and re-assign, if necessary, fire-fighting trucks and equipment to any place within the district that it deems best in order to carry out the purpose of this act.

10. To approve the sites or places within the area where the fire-fighting equipment shall be kept.

11. To provide and supervise the training of any personnel used in manning such equipment with the end that the equipment shall be fully utilized for the protection and control of fire within the district.

12. To be responsible for the upkeep, maintenance and repairs of the trucks and other fire-fighting equipment and to make regular inspection of all equipment and operations.

13. To promulgate such rules and regulations as it may deem necessary and proper to insure that the equipment shall be utilized for the best advantage of the area.

14. The commission is empowered to issue not exceeding one hundred fifty thousand dollars of general obligation bonds of the district, the proceeds of which shall be used to defray the costs of constructing and establishing a fire protection and control system in the district. For the purpose of this section, the term 'construct and establish' shall embrace the cost of direct construction, the cost of all land, property, rights, easements and franchises acquired which are deemed necessary for such fire protection system, the cost of all machinery, equipment, and apparatus needed therefor, payment to contractors, laborers, or others for work done or material furnished, financing charges, interest prior to and during construction and for six months after completion of construction, cost of engineering services, legal services, legal expenses, plans, specifications, surveys, administrative expenses and such other expenses as may be necessary or incidental to the construction of a fire control or fire protection system, and the placing of same in operation.

(a) They shall be issued as a single issue, or, from time to time, as several separate issues. They shall bear such date or dates as the commission shall determine and the bonds of any issue shall mature in such equal or unequal annual installments as may be determined by the commission. They shall be made payable at such place or places as the commission shall prescribe and shall bear interest at such rate or rates, payable in such manner as the commission may determine. The bonds may be registered with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Beaufort County and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity on such terms and conditions, and with such redemption premium, as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale and, at least

ten days prior to any sale, notice announcing the intention to receive bids for the sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale, the commission shall reserve the right to reject any and all bids, and if all bids shall be rejected the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

(d) Such bonds shall be executed in the name of 'Beaufort Rural Fire District' by the Chairman of the District Commission and by the Treasurer of Beaufort County and under the seal of the district. The coupons attached to such bonds may be authenticated by the facsimile signatures of the Chairman of the Commission and the Treasurer of Beaufort County who are in office at the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid, notwithstanding any changes in offices occurring after such execution or authentication.

(e) There shall be irrevocably pledged for the payment of the bonds and interest, as the same mature, the full faith, credit and resources of the district and the Auditor and Treasurer of Beaufort County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay the bonds and interest as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities.

(f) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of Beaufort County in a separate and special fund and shall be expended upon the warrants or orders of the commission for the purposes specified herein, and no others except that any premium received shall be deposited with the Treasurer of Beaufort County and by him applied to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the Treasurer of Beaufort County to the first installment of interest becoming due on the bonds. Neither the purchasers of the bonds, nor any subsequent holders thereof, shall be responsible for the proper application of the proceeds of sale.

15. Do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

16. The commission is vested with the power to raise funds for discharging the duties vested in it by levying a tax therefor. The

commission shall notify the auditor and treasurer of any desired tax, whereupon they shall assess and collect the tax as requested and the treasurer shall hold the funds and disburse them as directed by the commission. All such taxes shall constitute a lien upon the property against which the same are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the non-payment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes shall apply to taxes levied pursuant to this act.

SECTION 4. Revenues.—All revenues derived by the commission from the operation of any revenue-producing facility shall be disposed of by the commission from time to time for the purpose of the district.

SECTION 5. Rates not to be regulated.—The rates charged for services furnished by any revenue-producing facility of the district, as constructed, improved, enlarged or extended, shall not be subject to supervision or regulation of any State bureau, board, commission or other like instrumentality or agency thereof.

SECTION 6. Exempt from taxes.—The property of and income of the district shall be exempt from all taxes levied by the State, county, or any municipality, division, subdivision or agency thereof direct or indirect.

SECTION 7. Obligations not to be impaired.—So long as the district shall be indebted to any person, on any bonds, notes, or other obligations issued pursuant to the authority of this act, the provisions of this act and the powers granted to the district and the commission shall not be in any way diminished or restricted, and this provision of this act shall be deemed a part of the contract between the district and the holders of such obligations.

SECTION 8. Supervision of equipment.—The fire chief or equivalent official of a truck company to which the equipment is assigned shall have complete supervision over its usage and operation, and it shall be his responsibility to insure that the equipment is readily available for use at all times throughout the district.

SECTION 9. Enforcement of fire laws.—All members of a truck company or fire district, employees or volunteers may direct and control traffic at the scene of any fire in the area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the

discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 10. Unlawful acts—penalties.—It shall be unlawful for any person to wilfully destroy or damage any facility of the district, or equipment incident thereto or used in the operation of such facility, or to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire department in the district, or for any person or persons to wilfully or knowingly give a false alarm of fire in the district. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding one hundred dollars or be imprisoned not exceeding thirty days.

SECTION 11. Power of eminent domain of public utilities.—The power of eminent domain conferred hereunder shall not extend to such property of any public utility as the utility could have acquired under its power of eminent domain.

SECTION 12. Election concerning exclusion of townships from district.—(a) In order to ascertain if the approval of the qualified electors of each township in the county (except that Daufuskie Island in Hilton Head Township shall be treated as though it is not a part thereof) shall be given for the exclusion of their township from the district and from the levy of taxes in support thereof, a special election shall be held in the townships on June 9, 1964.

(b) The election shall be conducted by the Commissioners of Election for Beaufort County and shall be held in accordance with the provisions of the South Carolina Election Law applicable to special elections and all qualified electors in the county shall be permitted to vote. The ballots to be used in such election shall be in form substantially as follows:

Shall this township be included in the Beaufort Rural Fire District and taxes levied in support thereof? *Provided*, that the ballot to be used in Hilton Head Township shall be in form substantially as follows: Shall this township (except Daufuskie Island which is not to be included in any event) be included in the Beaufort Rural Fire District and taxes levied in support thereof?

YES ☐
NO ☐

Appearing on the ballot shall be instructions clearly printed apprising those who wish to vote in favor of such inclusion and taxation to place a check or cross mark in the square or block appearing opposite the word "Yes" and apprising those who oppose such inclusion and taxation to place a check or cross mark in the square or block appearing opposite the word "No."

(c) The Commissioners of Election for Beaufort County shall give notice of the holding of the election by a publication to appear in one or more newspapers published in the county once a week for three weeks prior to the date set for the holding of the election.

(d) The commissioners of election shall have the required number of ballots prepared and delivered to each voting place in all townships, except Daufuskie Island in Hilton Head Township.

(e) The managers of each precinct shall file with the commissioners of election returns showing the number of ballots delivered to them, the number of ballots used in the election and the number spoiled, the number of persons voting "Yes" and the number of persons voting "No."

(f) Upon being advised of the results of the election, the commissioners of election shall, by resolution duly adopted, declare the results thereof, and shall cause a certified copy of such resolution declaring such results to be filed with the Clerk of Court of Beaufort County, the County Legislative Delegation and the Secretary of State. The results of the election as so declared shall not be open to question except by suit or other proceeding instituted within sixty days of the date of the filing thereof.

SECTION 13. Repeal.—Act No. 925 of 1962 is repealed.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

An Act To Amend Act No. 342 Of 1963, Relating To The Election Of School Trustees For Lancaster County, So As To Further Provide For The Election Of Members From The Area Formerly Designated As Kershaw High School District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 342 of 1963 amended—election of school trustees for Lancaster County.—Section 1 of Act No. 342 of 1963 is amended by deleting beginning on the third line from the end thereof the following: “and the remaining two members shall come from the Kershaw Couty side and shall be designated by whatever method the Kershaw County Legislative Delegation may select.” and inserting in lieu thereof the following: “by the qualified electors residing on the Lancaster side and two members shall be elected from the Kershaw County side by the qualified electors residing on the Kershaw County side.” When amended, the section shall read as follows:

“Section 1. The Lancaster County Board of Education shall cause an election to be held at the same time as the June primary held each even-numbered year for the purpose of electing school trustees. Any person desiring to become a candidate shall indicate his intention by filing a statement with the board at least fifteen days prior to the time fixed for the election. The terms of office of the present board shall expire June 30, 1964. The terms of office for those elected in June, 1964, shall be for two years commencing July 1, 1964. Any vacancy may be filled by appointment for the unexpired term by the county board of education.

The qualified electors of the several districts shall vote for the candidates of their respective districts.

Seven of the members of the board shall come from that area formerly designated as Lancaster High School District; five members shall come from that area formerly designated as Indian Land High School District; five members shall come from that area formerly designated as Buford High School District; five members shall come from that area formerly designated as Heath Springs High School District; five members shall come from that area formerly designated as Flat Creek High School District; and of those members from that area formerly designated as Kershaw High School District, three members shall be elected on the Lancaster County side by the qualified electors residing on the Lancaster side and two members shall be elected from the Kershaw County side by the qualified electors residing on the Kershaw County side.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1235, S815)

No. 1019

An Act To Amend Item (9) Of Section 38-308 Of The 1962 Code, Relating To The Compensation Of Circuit Court Jurors In Saluda County, So As To Increase Their Compensation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (9) of Section 38-308 amended—compensation of jurors in Saluda County.—Item (9) of Section 38-308 of the 1962 Code is amended by striking “five dollars and fifty cents” and inserting in lieu thereof “seven dollars.” The item when amended shall read as follows:

“(9) In Saluda County, seven dollars per day and mileage for each trip going to and returning from court;”.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1236, S821)

No. 1020

An Act To Amend Section 65-3373, Code Of Laws Of South Carolina, 1962, Authorizing A Proportional Reduction Of County And Municipal Taxes For Property In Aiken County Destroyed By Fire, Storm Or Other Losses From Natural Forces During The First Half Of Any Calendar Year, So As To Make The Provision Apply To Property Destroyed Prior To October First.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-3373 amended—tax reductions for property destroyed by fire, etc., in Aiken County.—Section 65-3373 of the Code of 1962 is amended by striking out the words “during the first half of any calendar year” on line two of the section and inserting in lieu thereof the following: “prior to October first of any calendar year”, and by adding at the end of the section the following sentence: “This provision shall be retroactive to include the tax year of 1963.” When so amended, the section shall read as follows:

“Section 65-3373. For any property in Aiken County destroyed by fire, storm, or other losses caused by natural forces prior to

October first of any calendar year, the county and municipal taxes of the owner shall be reduced in such proportion as the assessed value of the property lost bears to the total tax assessment of the owner for that particular year. This provision shall be retroactive to include the tax year of 1963."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1239, S866)

No. 1021

An Act To Provide For The Membership And Terms Of Office Of The Parks, Playgrounds And Recreation Commission For The City Of Seneca.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. City of Seneca may appoint a Parks, Playgrounds and Recreation Commission.—Notwithstanding any provision of law to the contrary, the City Council of the City of Seneca may appoint a five-member Parks, Playgrounds and Recreation Commission for terms of four years.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1240, S706)

No. 1022

An Act To Permit The Creation Of Rural Communities Water Districts; To Provide For Their Areas And Functions; To Provide For Their Governing Bodies, Their Terms, Powers And Duties; To Preserve The Rights Of Existing Districts And To Provide Penalties For Certain Actions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Water districts may be created in counties.—There may be created in the counties of this State water dis-

tricts which shall be bodies corporate and politic of perpetual succession. It shall be the purpose and function of any district created under the provisions of this act to acquire, construct and operate a water works system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select, to provide a flow of water through pipes for domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as may be created. To this end the district shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

SECTION 2. Petition for formation.—In order to create a district under the provisions of this act, at least twenty-five owners of real property residing within the boundaries of the proposed district shall file a petition with the governing body of the county which, among other things, shall propose a name for the district. The petition shall set forth a full description of the area of the district. Upon receipt of the petition, the governing body shall call for an election to be held within the area within sixty days. Notice of the election shall be published in a newspaper having general circulation within the area for at least two consecutive weeks prior to the election. The governing body shall have prepared and distributed a sufficient number of ballots, including absentee ballots, if requested. The ballots shall contain the question regarding the formation of the district and such other instructions as the governing body deems necessary. The governing body shall appoint managers for the election and such other personnel as it deems necessary and shall canvass the results of the ballots. The final result shall be filed in the office of the clerk of court and, if favorable, also in the offices of the Secretary of State and the Code Commissioner, together with a full description of the district. Should a majority of those voting in the election vote in favor of the creation of the district, it shall become immediately effective.

SECTION 3. District to be managed by a board.—The district shall be operated and managed by a board of directors to be known

as the “_____ Rural Community Water District Board of _____ County” which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the county legislative delegation. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualified. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term.

Immediately after appointment, the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The offices of the secretary and treasurer may be combined in the discretion of the board.

SECTION 3A. Eligibility to vote.—In order to be eligible to vote under the provisions of this act a person must be twenty-one years of age or over or a designated officer of a corporation, who or which owns legal title to a present possessory interest in real estate lying within the district equal to a life estate or greater (expressly excluding leaseholds, easements, equitable interests, inchoate rights, dower rights and future interests).

SECTION 4. Powers and duties.—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions, and responsibilities including, but without limiting the following:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for meetings.
- (5) To maintain a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.
- (8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.
- (9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.

(10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.

(11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.

(12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations or public bodies or agencies.

(13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system. *Provided*, that prior to the adoption of any regulation, the district shall hold a public meeting for the consideration thereof, and shall advertise in a newspaper of general circulation in the district the time and place of such meeting, and the general nature and scope of the regulation to be considered for adoption, and such notice shall be published on two occasions prior to such meeting, and at least ten days prior thereto.

(14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.

(15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(16) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. The

provisions of this item shall not apply to public utilities and railroads which have the power of eminent domain.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided*, that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor the county, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the Code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolution adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(j) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems, within the county, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to

the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

SECTION 5. Rates not subject to state regulation.—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any state bureau, board, commission, or like instrumentality or agency thereof.

SECTION 6. Exempt from taxes.—(1) Bonds, notes or other evidence of indebtedness issued pursuant to Section 4 (22) of this act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows: "The principal of and interest on this (bond, note, or other evidence of indebtedness) are exempted from any and all State, county, and municipal and other taxation whatsoever under the laws of the State."

(2) All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 7. Fiscal year, audit and annual report.—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the auditor and treasurer of the county, and with the Secretary to the legislative delegation of the county.

SECTION 8. Unlawful acts—penalties.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars,

or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 9. Public bodies may purchase water from district.—

The municipalities of the county and all public bodies and public agencies now or hereafter operating water distribution systems in the county shall be fully empowered to enter into contracts to buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

SECTION 10. Not to affect existing districts.—All rights, powers and duties of any district now existing in the county are hereby expressly reserved.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1242, S872)

No. 1023

An Act To Create The Greenwood County Commission For Adult And Vocational Education; To Provide For Its Membership, Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenwood County Commission for Adult and Vocational Education created.—There is hereby created the Greenwood County Commission for Adult and Vocational Education which shall be a body corporate and politic. The Commission shall consist of seven members who shall be appointed by the Governor upon recommendation of a majority of the legislative delegation for terms of four years and until their successors are appointed and qualify. Two of the members shall be appointed from the membership of the County Board of Education and shall serve ex officio. Of those first appointed, one shall serve for a term of one year; two shall serve for terms of two years; two shall serve for terms of three years; and two shall serve for terms of four years and until their successors are appointed and

qualify. Any vacancy shall be filled for the unexpired portion of the term in the same manner as provided for the original appointment.

SECTION 2. Duties.—The Commission shall be charged with the duty of devising and developing plans to comply with the full intent of the Federal Manpower-Development-Training Act and any state statute pertaining thereto. The Commission shall study and recommend to school districts, the County Board of Education or the County Legislative Delegation a program of vocational education designed to meet the need for such a program among the young citizens of the county of high school age. The study shall include means and methods of financing such program, including sources of state and federal financial assistance. The Commission shall further develop plans and their implementation concerning community adult education in Greenwood County and shall do all things necessary to comply with the spirit of the program in making available to the State and to the Nation additional trained manpower which is so greatly needed in the rapidly-advancing technical age of today. These programs shall include, but shall not be limited to, the operation of all community school programs and the supervision of the budget available from both federal, state and county sources. All expenditures of the community school program and manpower development training program and all monetary claims in connection therewith shall be reviewed by the Commission and, after an approval of a majority of its members, shall be paid by the county board of education. All school property shall be made available to the Commission where such use is not in direct conflict with the Greenwood County school system.

The Commission shall make monthly reports to the county board of education which shall contain a resume of all decisions made and recommendations offered, and such reports shall contain further any pertinent recommendations that the Commission may deem desirable. The county board of education shall be responsible for all accounting and for payrolls and shall be the recipient and custodian of all funds, federal, state or county, received for use in the program envisioned by this act. The County Board of Education shall keep careful records of the activities of both the Board and the Commission.

SECTION 3. Powers.—To provide necessary authority for the achievement of purposes set forth in Section 2, the Commission is authorized to:

(1) Employ such services and personnel as may from time to time be required in discharging administrative and instructional responsibilities of the Commission;

(2) Make and promulgate rules and regulations as may be determined necessary to carry out the provisions of this act, which, when promulgated pursuant to statute, shall have full force and effect of law;

(3) Accept and administer funds or equipment from individuals, corporations or any local, state or federal governmental agencies;

(4) Accept donations;

(5) Enter into such contracts and do such other things as may be necessary in order to carry out the provisions of this section; and

(6) Acquire and sell property.

SECTION 4. Activities confined to Greenwood County.—The Commission shall confine its responsibility and its activities to Greenwood County and the school district and areas therein.

SECTION 5. Budget request—audits.—The Commission shall submit a budget request to the Greenwood County Legislative Delegation on or before January first of each year. Fiscal activities of the Commission shall be subject to local, state and federal audit when applicable.

SECTION 6. Compensation.—The members of the Commission shall receive no salary but shall be entitled to such mileage as is authorized by law for members of commissions, boards and committees.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1243, S822)

No. 1024

An Act To Amend Section 15-286 Of The 1962 Code, As Amended, Relating To Terms Of Court In The Fourteenth Judicial Circuit, So As To Add A Day To The April Term Of The Court Of General Sessions And Take Away A Day From The April Term Of The Court Of Common Pleas In Colleton County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (3) of Section 15-286 amended—terms of court for Colleton County.—Item (3) of Section 15-286 of the 1962 Code, as amended, is further amended by striking on line 6 the words “one day” and inserting the words “two days” and by striking on line 9 the word “Tuesday” and inserting the word “Wednesday”. The item when amended shall read as follows:

“(3) *Colleton County.*—The courts of general sessions for Colleton County shall be held at Walterboro on the second Monday in January for one week, on the first Monday in April for two days, on the second Monday in June for one week and on the third Monday in September for one week. The courts of common pleas for the county shall be held at Walterboro on Wednesday following the first Monday in April for the remainder of the week, on the second Monday in April for one week, on the fourth Monday in May for one week, on the fourth Monday in October for one week and on the second Monday in December for one week. At the court of general sessions to be held on the second Monday in January of each year at Walterboro the court may dispose of equity cases, motions, demurrers and nonjury matters arising in any of the several counties of the fourteenth judicial circuit.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1244, S808)

No. 1025

An Act To Provide For Special Reassessment Of Realty In Saluda County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Saluda County may reassess property.—Notwithstanding any provision of law to the contrary, the Board of Assessors of Saluda County is empowered to reassess any parcel of real estate in any year in which it deems such action necessary to reflect the proper value of the parcel. The board shall give written notice to the owner of any property reassessed, or his agent, of the valuation determined for the property.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1247, S747)

No. 1026

An Act To Create The Charleston County Industrial Commission And To Define Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charleston County Industrial Commission created.—There is hereby created the Charleston County Industrial Commission, for the purpose of aiding the Chambers of Commerce and Development Boards of Charleston County in the promotion of industrial and commercial development in Charleston County. The Commission shall be composed of five members, to be appointed by the Governor on the recommendation of the majority of the Charleston County Legislative Delegation including the Senator. The terms of office of the members shall be for four years and until their successors shall have been appointed and qualified, except that of the members first appointed three shall serve for terms of four years and two for terms of two years, the terms to be determined by lot. Vacancies shall be filled for unexpired terms as they occur and such appointments shall be made in the same manner provided for appointments for regular terms. The members shall serve without compensation. The Commission shall annually elect one of its members chairman for a term of one year. The chairman may succeed himself. The Commission may appoint a secretary-treasurer for a term of one year, who may or may not be a member of the Commission. The Commission shall keep minutes of its proceedings and shall have prepared, by a certified public accountant, an annual audit.

SECTION 2. Powers and duties.—The Commission shall have authority to purchase, and accept title to, or lease, or otherwise acquire, in the name of the Commission, lands, buildings, utilities and other related appurtenances to aid in the promotion of commercial and industrial development in the County. The Commission shall have full authority to negotiate with concerns desiring to locate commercial or industrial establishments in the County or with other agencies, public or private, engaged in the promotion of commerce and industry and may improve, sell, lease, convey and pass title to any lands, buildings, utilities and other related appurtenances acquired by the Commission for purposes provided by this act, at such price as may be set by the Commission. The Commission may accept gifts and grants of property or money from either public or private sources, to be used

in the promotion of its program. The Commission may negotiate loans through usual commercial channels, such loans to be secured only by property owned by the Commission or leaseholds and other contracts held by the Commission. The Commission shall have the power to employ personnel, and shall have such other powers as may be necessary to carry out the purposes of this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1250, S834)

No. 1027

An Act To Provide For Costs And Fees In The Probate Court For Laurens County, And To Provide For The Disposition Of The Fees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Probate court fees for Laurens County.—The costs and fees in the Probate Court for Laurens County shall be as provided in this act. Any fees or costs not specifically covered by this act shall be as provided by the general law.

SECTION 2. Further.—For the appointment and qualification of an administrator, legal guardian or committee, administrator with will annexed, administrator d. b. n. c. t. a., temporary administrator, ancillary administrator, executor or other person acting in a fiduciary capacity, including proof of will in common form with affidavit of one witness; filing, indexing, recording pleadings, including the qualification hearing and issuance of two certificates verifying appointment, along with the warrant of appraisement, the cost shall be twelve dollars.

SECTION 3. Further.—For receiving, filing, auditing and approving the final return of a fiduciary, one final settlement hearing, for an order of settlement or distribution, for an order of discharge to the fiduciary, recording of final settlement pleadings and including the cost of one certified copy of the final return and discharge, the cost shall be twelve dollars.

SECTION 4. Further.—(a) For filing, auditing and approving, indexing and recording each annual or semiannual return filed by a

fiduciary, three pages or less, and including certification on one copy, three dollars.

(b) Copying any paper in connection with an estate administration : if typed or photostated, seventy-five cents per page; if Thermofaxed or produced from other similar machine, twenty-five cents per page.

(c) Certifying copy of any single item, instrument or paper in connection with an estate administration, one dollar.

(d) Certificates of administration, seventy-five cents each.

(e) Certifying appeal record, five dollars.

(f) Proof of will or codicil in due and solemn form of law, including cost of hearing not to exceed one day, and inclusive of order or decree of adjudication, fifteen dollars; for each additional hearing in connection with proof of will or codicil, for one-half day or less, six dollars. This does not include the cost of taking the testimony in connection with the proof.

(g) For each additional hearing on any issues in connection with the qualification or administration of an estate, of one-half day or less, the cost, exclusive of testimony cost, shall be six dollars for each half-day.

(h) Proceedings for allotment and admeasurement of dower : under two hundred dollars, seven dollars; over two hundred dollars but under one thousand dollars, ten dollars; over one thousand dollars, ten dollars plus one per cent of excess over one thousand dollars.

(i) For receiving and filing each petition and issuing order, two dollars.

(j) For petition and order appointing a guardian ad litem for purposes other than in connection with qualifications or final settlements of estates, two dollars.

(k) Dedimus, three dollars.

(l) Entry of caveat or withdrawing same, two dollars.

(m) Filing real estate report with clerk of court, twenty-five cents.

(n) Consent of service, etc., two dollars.

(o) For exemplified, authenticated or certified copy of any probate court record or proceeding of three pages or less, three dollars; for each additional page, fifty cents.

(p) Swearing witness, twenty-five cents.

(q) Marriage license application, one dollar; marriage certificate, one dollar.

SECTION 5. Further.—Land sale proceedings in probate court as authorized and provided for in Sections 19-491 through 19-503 of the 1962 Code, five dollars. For receiving land sale funds and disbursing same to administrator, executor or other fiduciary, or to payment of claims or liens against property sold as well as costs of sale, a charge of two per cent if under three hundred dollars; if over three hundred dollars a charge of two per cent on the first three hundred dollars and one per cent on the balance.

On estates of a value of twenty-five hundred dollars or less, one-third of the listed fees in Sections 2 and 3 shall be charged; on estates of twenty-five hundred dollars to seventy-five hundred dollars, one-half of the listed fees in Sections 2 and 3 shall be charged; on estates of seventy-five hundred dollars to fifty thousand dollars, the fees listed in Sections 2 and 3 shall be charged; on estates of fifty thousand dollars to one hundred thousand dollars, the fees shall be double the fees listed in Sections 2 and 3; on estates of one hundred to two hundred thousand dollars the fees shall be triple the fees listed in Sections 2 and 3; and on estates in excess of two hundred thousand dollars, the fees shall be four times the fees listed in Sections 2 and 3. In computing values on estates, both personal and real property is to be considered.

SECTION 6. Disposition of fees.—All fees heretofore listed and collected by the probate court, as well as any fees collected under the general law, if any, shall be paid over to the Laurens County Treasurer; however, the usual fees which have in the past been retained by the probate judge, as compensation for services rendered, shall continue to be retained by him and they are not considered as probate court fees.

SECTION 7. Time effective.—This act shall take effect July 1, 1964.

Approved the 24th day of April, 1964.

An Act To Provide That Advisory Referendums May Be Held Concerning Tax Levies In School District No. 60 Of Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Abbeville County School District 60 may hold referendums concerning tax levies.—Before levying taxes in School District No. 60 of Abbeville County, the board of trustees of the district upon approval of a majority of the County Legislative Delegation may call for advisory referendums to be held at such times as may be determined by it in order to obtain an expression of the approval or disapproval from the qualified electors of the district concerning any such tax levy, such referendums to be conducted by the commissioners of election of Abbeville County in accordance with the election laws of this State.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1256, S871)

No. 1029

An Act To Amend Sections 65-1804 And 65-1863 Of The 1962 Code, Relating To The Composition And Compensation Of The Board Of Assessors And The Board Of Equalization For Abbeville County, So As To Provide For Additional Members For The Boards And To Further Provide For Their Compensation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-1804 amended—board of assessors for Abbeville County.—Section 65-1804 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following :

“Section 65-1804. The board of assessors for Abbeville County shall consist of seven or more members as may be determined by the county auditor and the legislative delegation. The members shall be qualified electors of the county and shall be appointed by the county auditor for terms of one year and until their successors are appointed and qualify. Vacancies shall be filled for the unexpired terms as provided for in the original appointment. The duties of the board of assessors shall be as now provided by law, and for their services they shall each receive such amount as may be determined by the auditor and the legislative delegation. Should the duties of any of the members of the board of assessors require more than one

day in the office of the auditor, the auditor with the consent of the legislative delegation is authorized to pay such member an additional amount as may be determined."

SECTION 2. Section 65-1863 amended—board of equalization for Abbeville County.—Section 65-1863 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 65-1863. In Abbeville County, the board of equalization shall consist of six to nine qualified electors of the county to be appointed by the Governor upon the recommendation of the auditor and the legislative delegation to serve for a term of two years. The duties of the board of equalization for Abbeville County shall be as now provided by law, and for their services they shall receive such amount as may be determined by the auditor and the legislative delegation."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1258, S725)

No. 1030

An Act To Provide For The Organization And Regulation Of Corporations Not For Profit And Making These Provisions Cumulative.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. "Corporation not for profit" defined.—As used in this act "corporation not for profit" means a corporation which upon its original organization is financed in whole or in part by a loan made under the provisions of the Consolidated Farmers Home Administration Act of 1961, as amended by the Food and Agriculture Act of 1962, and acts amendatory thereto, and no part of the income or assets of which shall be distributable to its members.

SECTION 2. Not to issue shares of stock—payments to members.—No corporation incorporated hereunder shall have or issue shares of stock. No dividend shall be paid, and no part of the income of the corporation shall be distributed to its members. A corporation may pay compensation in a reasonable amount to its

members, directors and officers for services rendered, may confer benefits upon its members in conformity with its purposes, and upon dissolution or final liquidation shall make distributions of any assets to corporations having the tax exemption status prescribed in Section 101 of Title 26 of the Internal Revenue Code, as amended.

SECTION 3. Contents of articles of incorporation.—Corporations may be organized hereunder by any three or more persons who shall make, subscribe, acknowledge and file articles of incorporation in the office of the Secretary of State, and shall obtain approval thereof by the Secretary of State.

The articles of incorporation shall contain:

(1) The name of the proposed corporation, which shall include the word "Incorporated" or "Inc." The name shall be such as will distinguish the corporation from any other domestic corporation, or any foreign corporation admitted to conduct its affairs in this State.

(2) The purpose for which the corporation is organized.

(3) The qualification of members and the manner of their admission.

(4) The term for which it is to exist, which may be perpetual.

(5) The names and residences of the subscribers.

(6) By what officers the affairs of the corporation are to be managed, and the times at which they will be elected or appointed.

(7) The names of the officers who are to serve until the first election of appointment under the articles of incorporation.

(8) The number of persons constituting the first board of directors, managers, or trustees, which shall not be less than three, and the names and addresses of the persons who are to serve as directors, managers, or trustees until the first election thereof.

(9) By whom the bylaws of the corporation are to be made, altered or rescinded.

(10) By whom and in what manner amendments to the articles of incorporation may be proposed and adopted.

(11) Any provision which the incorporators may choose to insert for the conduct of the affairs of the corporation and any provision creating, dividing, limiting and regulating the powers of the corporation, the directors, managers or trustees, and the members, including, but not limited to, provisions establishing classes of membership and limiting voting rights to one or more of such classes.

(12) The articles of incorporation shall be in writing, subscribed by not less than three natural persons competent to contract and acknowledged by all of the subscribers before an officer authorized to take acknowledgments, and filed in the office of the Secretary of State for approval. A duplicate copy so subscribed and acknowledged may also be filed.

SECTION 4. Approval of Secretary of State.—When the articles of incorporation have been filed in the office of the Secretary of State and approved by him and the filing fee herein specified has been paid, the subscribers thereof and their associates and successors shall constitute a corporation. The approval of the articles of incorporation by the Secretary of State shall be indicated by his endorsement thereof with the date and time of approval on the original. The original shall be filed in the records of his office. If a duplicate is received with the original, it shall, on receipt of the fee required for certified copies, be so endorsed, certified and returned to the person from whom it is received.

SECTION 5. Filing fees.—Upon filing any articles of incorporation, amendment thereof or other paper relating to the incorporation, merger, consolidation or dissolution of any corporation not for profit in the office of the Secretary of State, the following fees shall be paid to him for the use of the State:

(1) A filing fee of ten dollars for the filing and approval of articles of incorporation.

(2) A fee of one dollar for the first page, fifty cents for each additional page and two dollars for authentication for furnishing certified copies of articles of incorporation or other documents concerning a corporation not for profit.

(3) A fee of five dollars in each case for filing papers relating to dissolution or amendment of articles of incorporation.

(4) A fee of ten dollars for filing the annual report.

SECTION 6. Amendments to charter.—Any corporation incorporated hereunder may amend its charter by resolution as provided in the bylaws. In any case, the charter or articles of incorporation shall be amended and the amendment incorporated therein only when the amendment has been filed with the Secretary of State, approved by him, and all filing fees have been paid.

SECTION 7. Powers.—Every corporation not for profit organized hereunder, unless otherwise provided in its articles of incorporation or by law, shall have power to:

(1) Have succession by its corporate name for the period set forth in its articles of incorporation.

(2) Sue and be sued and appear and defend in all actions and proceedings in its corporate name to the same extent as a natural person.

(3) Adopt and use a common corporate seal and alter the same.

(4) Elect or appoint such officers and agents as its affairs shall require and allow them reasonable compensation.

(5) Adopt, change, amend and repeal bylaws, not inconsistent with law or its articles of incorporation, for the administration of the affairs of the corporation and the exercise of its corporate powers.

(6) Increase, by vote of its members cast as the bylaws may direct, the number of its directors, managers or trustees so that the number shall not be less than three but may be any number in excess thereof.

(7) Make contracts and incur liabilities, borrow money at such rates of interest as the corporation may determine, issue its notes, bonds and other obligations, and secure any of its obligations by mortgage and pledge of all or any of its property, franchises or income.

(8) Conduct its affairs, carry on its operations, and have offices and exercise the powers granted by this act in any state, territory, district, or possession of the United States or any foreign country.

(9) Purchase, take, receive, lease, take by gift, devise or bequest, or otherwise acquire, own, hold, improve, use or otherwise deal in and with real or personal property, or any interest therein, wherever situated.

(10) Acquire, enjoy, utilize and dispose of patents, copyrights and trademarks and any licenses and other rights or interests thereunder or therein.

(11) Sell, convey, mortgage, pledge, lease, exchange, transfer or otherwise dispose of all or any part of its property and assets.

(12) Purchase, take, receive, subscribe for, or otherwise acquire, own, hold, vote, use, employ, sell, mortgage, lend, pledge or otherwise dispose of and otherwise use and deal in and with, shares and other interests in, or obligations of, other domestic or foreign corporations, whether for profit or not for profit, associations, partner-

ships or individuals, or direct or indirect obligations of the United States, or of any other government, state, territory, governmental district, municipality, or of any instrumentality thereof.

(13) Lend money for its corporate purposes, invest and reinvest its funds, and take and hold real and personal property as security for the payment of funds so loaned or invested.

(14) Make donations for the public welfare or for religious, charitable, scientific, educational or other similar purposes.

(15) Have and exercise all powers necessary or convenient to effect any or all of the purposes for which the corporation is organized.

SECTION 8. Certain irregularities not to vitiate incorporation.

—No irregularity in complying with the provisions of this act shall be held to vitiate the incorporation until a direct proceeding to set aside and annul the charter be instituted by the proper authorities of the State. All acts done and contracts entered into shall have the same force and effect as if no irregularity had existed.

SECTION 9. Dissolution of corporation.—Any corporation organized for the purposes herein mentioned which shall have accomplished the purpose for which it has been organized or which may desire to wind up its affairs may do so upon a vote of a two-thirds majority of its members at a meeting of which published notice or written notice mailed to each member shall be given. Such notice shall state the purpose of the proposed meeting. A certificate stating such facts shall be filed with the Secretary of State.

SECTION 10. Evidence of incorporation.—A certified copy of the charter and any amendment thereof from the Secretary of State or from the clerk of the court or register of mesne conveyances of the county in which such charter is required to be recorded shall be sufficient evidence of the incorporation of any corporation chartered under this act and of any amendment to its certificate of incorporation.

SECTION 11. Filing charter and amendments.—All papers required to be filed hereunder and all charters or amendments thereof that may be granted shall be filed under proper numbers and indexed by the Secretary of State. The charter or amendment shall be recorded within thirty days after receipt in the office of the clerk of court or register of mesne conveyances in the county in which the corporation is organized.

SECTION 12. Powers additional.—The powers and authorities conferred by this act shall be in addition to and supplemental to any other general, special or local law. This act is complete in itself and shall not repeal by implication or otherwise any other general, special or local law.

SECTION 13. Annual report.—The secretary of the corporation shall make an annual report to the Secretary of State upon such form and giving such information as the Secretary shall direct.

SECTION 14. Not exempt from taxes.—No corporation organized under the provisions of this act shall be exempt from taxation by reason of any provision of this act.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1259, S806)

No. 1031

An Act To Amend Section 43-792 Of The 1962 Code, As Amended, Relating To The Territorial Jurisdiction Of Magistrates In Greenville County, So As To Further Provide For The Jurisdiction Of The Magistrates Of Cleveland And Dunklin Townships.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 43-792 amended—jurisdiction of magistrates in Greenville County.—Section 43-792 of the 1962 Code, as amended, is further amended by inserting before the word "Oaklawn" on line four "Cleveland, Dunklin," so that, when so amended, the section shall read :

"Section 43-792. The two Magistrates located in the City of Greenville, the Magistrate for Greenville Township, the Magistrates in the Towns of Fountain Inn, Greer and Piedmont, and the Magistrates in Austin, Bates, Cleveland, Dunklin, Oaklawn, Chick Springs and Gantt Townships, shall have criminal and civil jurisdiction through the whole of Greenville County. The Special Magistrate for the City of Greenville shall have criminal jurisdiction only which shall extend throughout the whole of Greenville County. The magistrates other than those above enumerated shall have juris-

diction only in such civil and criminal cases as arise or occur in their respective townships. The jurisdiction of these magistrates shall be concurrent with that of the magistrates whose territorial jurisdiction is countywide. Other than the Special Magistrate for the City of Greenville, when a magistrate has once acquired jurisdiction, his jurisdiction shall be exclusive, except that he may be disqualified for cause, in which event the matter may be removed to the next nearest magistrate as permitted by law.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1263, S857)

No. 1032

An Act To Amend Section 59-174 Of The 1962 Code, As Amended, Relating To The Abolition Of Boards Of Commissioners Of Public Works In Certain Municipalities, So As To Add The Town Of St. Stephen In Berkeley County To The Section.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Commissioners of public works abolished in Town of St. Stephen.—In addition to the cities and towns listed in Section 59-174 of the 1962 Code, in the Town of St. Stephen, in Berkeley County, there shall be no board of commissioners of public works, and the powers and duties vested by general law in such boards in other cities and towns shall be vested in the Town Council of the Town of St. Stephen.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1264, S858)

No. 1033

An Act To Amend Section 6 Of Act No. 385 Of 1963, Relating To Fees For The Clerk Of Court For Berkeley County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item 5, Section 6 of Act 385 of 1963 amended—clerk of court fees for Berkeley County.—Item (5) of Section 6 of Act No. 385 of 1963 is amended to read as follows :

“(5) The charges and fees for recording instruments in the office of the Clerk of Court for Berkeley County shall be in amounts as follows :

(a) for deeds, real estate mortgages, leases, contracts, agreements, powers of attorney, bonds for title, mechanics’ and materialmen’s liens, real estate attachments, any instruments concerning real estate and any other instruments entitled to recordation not herein specifically provided for, including chattel mortgages and other instruments whereby the holder retains or claims an interest in personal property, with or without notes, to secure a principal debt of more than one hundred dollars, one dollar for the first legal-cap-size page, or fraction thereof, and twenty-five cents for each additional page or fraction thereof, required to complete recording, twenty-five cents for each additional dower and each additional probate, and twenty-five cents for each additional name to be indexed in excess of two; (b) for chattel mortgages securing a principal debt of one hundred dollars or less, one dollar; (c) for assignments, cancellations, dowers and other matters pertaining to any of the instruments above named, recorded after the original recordation, fifty cents; (d) for a cancellation without affidavits, fifty cents and with affidavits, one dollar; (e) for plats, one dollar for each page measuring 15” x 18” or less and for all other plats two dollars for each page; (f) for charters, two dollars; and (g) for homestead proceedings, seven and one-half dollars. Any page above referred to, having writing, stamps or other written matter to be recorded on both sides, shall be counted and charged as two pages. If any document offered for record contains more than ten pages, each additional ten pages or portion thereof shall be considered a separate document for the purpose of fixing the recording fees herein provided for.

The wilful or intentional collection by the clerk of any fee, payment or gratuity as compensation for any service performed by him as clerk, other than as provided in this section, shall be cause for his removal from office.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1265, S863)

No. 1034

An Act To Amend Sections 42-397, 42-399, 42-402, 42-403 And 42-405 Of The 1962 Code, Relating To The Florence Public Library, So As To Change The Name And The Service Area Of The Library; Increase The Number Of Members Of The Board Of Trustees; Authorize The Operation Of Bookmobiles; Provide For The Annual Appropriation Of Additional Funds; And Repeal Section 42-398 Of The 1962 Code, Relating To The Jurisdiction Of The Florence Public Library Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 42-397 amended—Florence County Library established.—Section 42-397 of the 1962 Code is amended by adding after the word “created” on line one the words “to serve Florence County” and by striking the word “Public” on line two and inserting the word “County”. The section when amended shall read as follows: “Section 42-397. There is hereby created to serve Florence County an eleemosynary corporation under the control of the State, to be known as the Florence County Library, which shall have all the powers conferred upon such a corporation by this article and other applicable laws of this State.”

SECTION 2. Section 42-399 amended—to be managed by a board of trustees.—Section 42-399 of the 1962 Code is amended by striking on line two the word “five” and inserting the word “nine” and by striking all after the period on line four through the comma on line eight. The section when amended shall read as follows: “Section 42-399. The corporation shall be controlled and managed by a board of trustees, nine in number, to be appointed by the Governor upon the advice and consent of the Senator from Florence County, and to serve without pay. The trustees shall be appointed to serve for terms of five years and until their successors shall be appointed and qualify. Vacancies shall be filled by the appointing power for unexpired terms as they occur.”

SECTION 3. Appointment of additional members.—The four members of the Board of Trustees of the Florence County Library shall be appointed in the same manner as the other five members were appointed. One shall be appointed to serve for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and until their successors are appointed and quali-

fy. Thereafter their successors shall be appointed to serve for terms of five years.

SECTION 4. Item (6) of Section 42-402 amended—powers.—Item (6) of Section 42-402 of the 1962 Code is amended by striking the last word in the item “district” and inserting the word “county”. The item when amended shall read as follows:

“(6) Generally do all things necessary and proper to establish, equip, maintain and operate a library system within the county.”

SECTION 5. Section 42-403 amended—provide books, establish libraries and operate bookmobiles.—Section 42-403 of the 1962 Code is amended by adding after the last word of the section the words “and operate bookmobiles on routes determined by the board.” The section when amended shall read as follows:

“Section 42-403. The board shall provide and make available to the citizens of the area good books and informational material. The board shall establish a headquarters library and may establish branches and units in various communities and operate bookmobiles on routes determined by the board.”

SECTION 6. Section 42-405 amended—tax levy and appropriation.—Section 42-405 of the 1962 Code is amended by striking beginning on line two the words “the library area as defined in Section 42-398” and inserting the words “Florence School District No. 1” and by adding at the end thereof the words “Funds to provide service to those portions of the county outside of Florence School District No. 1 shall be appropriated annually.” The section when amended shall read as follows:

“Section 42-405. There is hereby levied a tax of three mills upon all taxable property within Florence School District No. 1, the proceeds thereof to be applied to the operation and maintenance of the library. The tax shall be collected in the same manner as other taxes are levied and collected for general county purposes in Florence County. Funds to provide service to those portions of the county outside of Florence School District No. 1 shall be appropriated annually.”

SECTION 7. Repeal.—Section 42-398 of the 1962 Code is repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1267, S877)

No. 1035**An Act To Amend Section 17-91 Of The 1962 Code, Relating To The Requirement Of Preliminary Examination Before Formal Inquest, So As To Permit The Coroner Of Charleston County To Issue A Death Certificate.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 17-91 amended—preliminary examination—coroner of Charleston County may issue death certificate.—Section 17-91 of the 1962 Code is amended by adding at the end thereof the following: “*Provided*, however, that the Coroner of Charleston County is authorized and empowered to issue a death certificate.” The section when amended shall read as follows:

“Section 17-91. Whenever a body is found dead and an investigation or inquest is deemed advisable the coroner or the magistrate acting as coroner, as the case may be, shall go to the body and examine the witnesses most likely to be able to explain the cause of death, take their testimony in writing and decide for himself whether there ought to be a trial or whether blame probably attaches to any living person for the death, and if so and if he shall receive the written request, if any, required by Section 17-94, he shall proceed to summon a jury and hold a formal inquest as required by law. But if there be, in his judgment, no apparent or probable blame against living persons as to the death he shall issue a burial permit and all further inquiry or formal inquest shall be dispensed with. *Provided*, however, that the Coroner of Charleston County is authorized and empowered to issue a death certificate.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1268, S756)

No. 1036**An Act To Amend Section 47-1358 Of The 1962 Code So As To Make The Provisions Applicable In The City Of Aiken In Aiken County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-1358 applicable to Aiken County.—The provisions of Section 47-1358 of the 1962 Code shall apply in the City of Aiken in Aiken County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1272, S838)

No. 1037

An Act To Amend Section 21-1631 Of The 1962 Code, Relating To The Election Or Appointment Of Trustees Of School Districts In Charleston County, So As To Make Further Provision For The Appointment Of The Trustees Of St. James Santee School District No. 1.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-1631 amended—selection of school trustees for Charleston County.—Section 21-1631 of the 1962 Code is amended by striking out the section and inserting in lieu thereof the following :

“Section 21-1631. Except as otherwise provided in this chapter, the trustees of the several school districts in Charleston County shall serve out their present terms according to law, and their successors shall be elected in the general election held next prior to the expiration of such terms and every six years thereafter; *provided*, however, that the trustees of St. James Santee School District No. 1, St. Johns School District No. 9 and St. Pauls School District No. 23 in the county shall be appointed by a majority of the Charleston County Legislative Delegation. In the event that any district other than St. James Santee School District No. 1, St. Johns School District No. 9 and St. Pauls School District No. 23 fails to elect any trustee as provided in this section, then the county board of education shall appoint a trustee to fill such vacancy.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1273, S835)

No. 1038**An Act To Amend Section 33-1271 Of The 1962 Code, Relating To A Road Tax By Sumter County, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 33-1271 amended—road tax for Sumter County.—Section 33-1271 of the 1962 Code is amended by striking “fifty” on line 2 and inserting in lieu thereof “sixty”. The section when amended shall read as follows :

“Section 33-1271. All able-bodied male persons in Sumter County from the age of twenty-one to sixty years, both inclusive, except ministers of the Gospel actually in charge of a congregation, teachers employed in public schools, school trustees and students who may be attending any school or college when the tax herein imposed may become due, shall pay annually a commutation road tax of two dollars in lieu of labor on public roads, such tax to be paid at the same time and collected as other taxes.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1277, S840)

No. 1039**An Act To Provide Master In Equity Fees For Abbeville County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Master in equity fees for Abbeville County.—The Master in Equity for Abbeville County shall receive the following fees and commissions in lieu of all other costs, fees and commissions, except when agreed upon to the contrary between the master and attorneys in advance, (a) for holding references in any uncontested case, five dollars; (b) for holding references in any contested case, twenty dollars; (c) for the preparation and execution of each deed or mortgage executed by him, five dollars; (d) for each report in uncontested cases, three dollars; (e) for each report in contested

cases, ten dollars; (f) for each report of sale, five dollars; (g) on all moneys received or disbursed by him in cases pending before him, two and one half per cent on the first three hundred dollars and one per cent on all amounts in excess of three hundred dollars; and (h) commissions on funds paid directly to the parties under order of court in cases or matters pending before the master, one half of one per cent. The minimum commission to be received by the Master in Equity of Abbeville County on sales shall be seven dollars.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1279, S844)

No. 1040

An Act To Require The Filing Of A Building Permit With The Auditor Of Aiken County Before Any Person Constructs Or Makes Additions To Certain Buildings, To Prohibit Electric Companies From Making Electrical Connections To A Building Constructed Without A Permit, And To Provide A Penalty For Violation.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Building permits required in Aiken County.—Before any person constructs any new building or any addition to an existing building in Aiken County, which construction shall cost two thousand five hundred dollars or more, he shall obtain from the auditor of the county, or other persons or firms designated by the auditor, a building permit before any construction shall be commenced. No charge shall be made for such building permits.

SECTION 2. Forms.—The permits required by Section 1 shall be in such form or forms as may be prescribed by the county auditor.

SECTION 3. Not applicable in certain municipalities.—The provisions of this act shall not be applicable within any municipality within the county where a permit as may now be required by the municipality is presently furnished the auditor.

SECTION 4. Municipalities to furnish copies.—Every municipality in the county, requiring permits for the erection or construction of

any improvements upon real estate situate within the municipality, shall furnish to the auditor and the tax assessor copies of all permits issued by the municipality.

SECTION 5. Penalty.—Any person violating the provisions of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined in an amount not exceeding one hundred dollars.

SECTION 6. Electricity not to be furnished without permit.—It shall be unlawful for any electric energy suppliers to make a new connection of electrical energy to a new building or facility requiring a permit under this act unless such permit was acquired for the construction of the building or facility. Any company or cooperative making a connection shall report to the county tax assessor's office on or before the tenth of each month the location of each connection.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1283, S860)

No. 1041

An Act To Establish A Juvenile And Domestic Relations Court For Oconee County, And To Define Its Jurisdiction And Powers.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Juvenile and Domestic Relations Court created for Oconee County.—There is established for Oconee County a court to be called the Juvenile and Domestic Relations Court. The court shall be a court of record and shall have a seal and the judge and clerk thereof shall have power to administer oaths and affirmations.

SECTION 2. Definitions.—When used in this act, unless the context otherwise requires, (a) "Court" means the Juvenile and Domestic Relations Court of Oconee County; (b) "Judge" means the Judge of the Juvenile and Domestic Relations Court of Oconee County; (c) "Child" means a person less than seventeen years of age; and (d) "Adult" means a person seventeen years of age or older.

SECTION 3. Judge—appointment—term—acting judge—not to practice law.—(a) The Judge of the Juvenile and Domestic Rela-

tions Court of Oconee County shall be appointed by the Governor, upon the recommendation of a majority of the advisory board, provided for by this act. The appointment shall be certified to the Secretary of State who in turn shall issue a commission to the appointed judge.

(b) Any resident attorney at law of Oconee County who has been engaged in the practice of law for five years, or more, shall be eligible for appointment as judge of the court.

(c) The initial term of office of the judge shall be for two years and the next and each succeeding term shall be for a period of four years. The salary of the judge shall be as provided in the annual appropriation act for Oconee County.

(d) In case of the absence of the judge the advisory board may appoint, in writing, an attorney of the Oconee County Bar, meeting the requirements and qualifications herein specified for selection as judge, to serve during such vacancy and he shall have all of the powers and duties imposed by this act upon the judge of the court. The acting judge shall receive as compensation on a per diem basis the rate of pay provided for the regular judge. In case of the death or the resignation of the judge, the advisory board shall recommend and the Governor shall appoint a successor to serve the unexpired portion of the term.

(e) During his term of office the judge shall not engage in the practice of law in any respect in regard to any matter in which he has or could acquire jurisdiction by virtue of his office.

SECTION 4. Advisory board.—There shall be an advisory board of the court which shall consist of five members. One of the members shall be the Judge of Probate of Oconee County who shall serve ex officio during his term of office as judge of probate. The other four shall be appointed by the Governor as follows: One shall be a member of the Oconee County Bar Association and shall be recommended by the Association; and three shall be recommended by a majority of the Oconee County Legislative Delegation. The terms of office of the members of the advisory board appointed by the Governor shall be for four years, except that of those first appointed one shall be for a term of two years, one shall be for a term of three years and two shall be for terms of four years. The terms of office of those first appointed by the Governor shall be determined by lot at the first meeting of the advisory board after appointment. The board shall serve without compensation.

SECTION 5. Appointment of personnel.—All appointments of personnel under the authority of this act shall be made by the judge. The judge shall employ such stenographic and clerical assistance at such salaries as may be recommended by the advisory board and approved by the legislative delegation of the county. There shall be a stenographer-clerk who shall attend to the affairs of the office and keep it open during regular working hours observed by other courthouse employees. The probation officer of the South Carolina Probation, Parole and Pardon Board who serves Oconee County shall serve the court as probation officer.

SECTION 6. Duties of personnel.—Administrative and professional personnel shall be under the direct supervision of the judge or his duly appointed supervisor, and shall be charged with the execution of all orders and assignments necessary to the execution of the provisions of this act.

SECTION 7. When court to have original jurisdiction.—(a) Except as otherwise provided herein the court shall have exclusive original jurisdiction and shall be the sole agency for initiating action concerning any child living or found within the county:

(1) who is neglected as to proper and necessary support or education, as required by law, or as to medical, psychiatric, psychological or other care necessary for his well-being; or who is abandoned by his parent or other custodian;

(2) whose occupation, behavior, condition, environment or associations are such as to injure or endanger his welfare or that of others;

(3) who is beyond the control of his parent or other custodian;

(4) who is alleged to have violated or attempted to violate any state or local law or municipal ordinance, regardless of where the violation occurred;

(5) whose custody is the subject of controversy except in those cases where the law now gives other courts exclusive jurisdiction; or

(6) who, because of a mentally defective, mentally disordered or emotionally disturbed condition, is in need of treatment or commitment.

(b) Whenever the Juvenile and Domestic Relations Court shall have acquired the jurisdiction of any child under seventeen years of age, such jurisdiction shall continue so long as in the judgment of

the court it may be necessary to retain jurisdiction for the correction or education of such child, but such jurisdiction shall terminate when such child shall attain the age of twenty-one years. Concerning any minor seventeen years of age or older, living or found within the county, alleged to have violated or attempted to violate any state or local law or municipal ordinance prior to becoming seventeen years of age, such a minor shall be dealt with under the provisions of this act relating to children.

(c) No other court, including a magistrate or municipal court, shall have the original power to initiate proceedings by way of warrant, summons or otherwise, except nothing herein shall be construed as depriving the circuit court of the exclusive jurisdiction to try those cases as prescribed by the Constitution, Article V, Section 1, and concurrent jurisdiction to try those offenses defined under Article V, Section 18.

(d) Within two days after the filing of a petition in the Juvenile and Domestic Relations Court of Oconee County, alleging the child has committed the offense of murder, manslaughter, rape, attempted rape, arson, common law burglary, bribery or perjury, riot, assault and battery, or larceny, the person executing such petition may request in writing that the case be transferred to the court of general sessions with a view to proceeding against such child as a criminal rather than as a child coming within the purview of this act. The Judge of the Juvenile and Domestic Relations Court is authorized to determine this request. In the event the request is denied, the petitioner shall have the right of appeal within five days to the circuit court. Upon the hearing of such appeal, the judge of the circuit court shall be vested with the discretion of exercising and asserting the jurisdiction of the court of general sessions or of relinquishing jurisdiction to the Juvenile and Domestic Relations Court. In case the circuit judge elects to exercise the jurisdiction of the general sessions court for trial of the case, he shall issue an order to that effect and thereafter the Juvenile and Domestic Relations Court shall have no further jurisdiction in the matter. *Provided*, that when jurisdiction is relinquished by the County Juvenile and Domestic Relations Court in favor of another court, the Juvenile and Domestic Relations Court shall have full authority and power to grant bail and hold a preliminary hearing, and shall also have any other powers as are now provided by law for magistrates in such cases.

SECTION 8. Judge may issue writs of habeas corpus.—The judge shall have the power to issue a writ of habeas corpus to produce any person under the age of seventeen in court where necessary.

SECTION 9. Transfer of cases from circuit court.—If, during the pendency of a criminal or quasi-criminal charge against any minor in any other court, it shall be ascertained that the minor was under the age of seventeen years at the time of committing the alleged offense, it shall be the duty of such court to forthwith transfer the case, together with all the papers, documents and testimony connected therewith, to the Juvenile and Domestic Relations Court, except in those cases where the Constitution gives to the circuit court original jurisdiction.

The court making such transfer shall order the minor to be taken forthwith to the place of detention designated by the Juvenile and Domestic Relations Court or to that court itself, or shall release such minor to the custody of some suitable person to be brought before the court at a time designated. The court shall then proceed as provided in this act.

SECTION 10. Transfer of cases to other courts.—If a child sixteen years of age or older is charged with an offense which would be a felony or misdemeanor, if committed by an adult, and if the court after full investigation deems it contrary to the best interests of such child or of the public to retain jurisdiction, the court may in its discretion certify such child for proper criminal proceedings to any court which would have trial jurisdiction of such offense if committed by an adult.

SECTION 11. Preliminary investigation by court.—Whenever any person informs the court that a child is within the purview of this act, the court shall make preliminary inquiry to determine whether the interests of the public or of the child require that further action be taken. Thereupon the court may make such informal adjustment as is practicable without a petition, or may authorize a petition to be filed by any person. The petition and all subsequent court documents shall be entitled "In the Juvenile and Domestic Relations Court of Oconee County, In the Interest of, a child under seventeen years of age."

The petition shall be verified and may be upon information and belief. It shall set forth plainly: (1) the facts which bring the child within the purview of this act; (2) the name, age and residence of

the child; (3) the names and residences of his parents, if known; (4) the name and residence of his legal guardian, if there be one, of the person or persons having custody or control of the child, or of the nearest known relative, if no parent or guardian can be found. If any of the facts herein required are not known by the petitioner, the petition shall so state.

Prior to the hearing of a case of any child, the judge shall cause an investigation of all the facts pertaining to the issue to be made. Such investigation shall consist of an examination of the parentage and surroundings of the child, his age, habits and history, and shall include also any inquiry into the home conditions, habits and character of his parents or guardian. In such cases the court shall also, if practicable, cause the child to be examined as to his mentality by a competent and experienced psychologist who shall make a report of his findings. Prior to the hearing of a case of any child who attends school, there shall be obtained from the school which he attends a report concerning him. The school officials shall furnish such report upon the request of the court or its probation counsellor. The court shall, when it is considered necessary, cause a complete physical examination to be made of the child by a competent physician.

SECTION 12. Service of summons.—Service of summons shall be made personally by the delivery of an attested copy thereof to the person summoned; *provided*, that if the judge is satisfied that it is impracticable to serve personally the summons or the notice provided for in this act, he may order service by registered mail addressed to the last known address, or by publication thereof, or both. It shall be sufficient to confer jurisdiction if service is effected at least forty-eight hours before the time fixed in the summons for the return thereof.

Service of summons, process or notice required by this act may be made by any suitable person under the direction of the court and upon request of the court shall be made by any peace officer.

SECTION 13. Summons—further.—If any person summoned as herein provided shall, without reasonable cause, fail to appear, he may be proceeded against for contempt of court. In case the summons cannot be served, or the parties served fail to obey the same, or in any case when it shall be made to appear to the judge that the service will be ineffectual, or that the welfare of the child requires that he be brought forthwith into the custody of the court, a warrant or *capias* may be issued for the parent, guardian or the child.

SECTION 14. Minors—custody of—keep separate from adults.

—(a) When any child, found violating any law or ordinance, or whose surroundings are such as to endanger his welfare, is taken into custody such taking into custody shall not be termed as arrest. The jurisdiction of the court shall attach from the time of such taking into custody. When a child is so taken into custody, such officer shall notify the parent, guardian, or custodian of the child as soon as possible. Whenever possible, unless otherwise ordered by the court, such child shall be released to the custody of his parent or other responsible adult upon the written promise, signed by such person, to bring the child to the court at a stated time or at such time as the court may direct. Such written promise, accompanied by a written report by the officer, shall be submitted to the court as soon as possible. If such person shall fail to produce the child as agreed upon or upon notice from the court, a summons or a warrant may be issued for the apprehension of such person or of the child, or both.

(b) If the child is not released, as herein provided, such child shall be taken without unnecessary delay to the court or to the place of detention designated by the court, and as soon as possible thereafter the fact of such detention shall be reported to the court, accompanied by a written report by the officer taking the children into custody stating: (1) facts of the offense, and (2) the reason why the child is not released to the parent. Pending further disposition of the case the court may release such child to the custody of the parent or other person or may detain the child in such place as the court shall designate, subject to further order, but no child shall be held in detention longer than two days, excluding Sundays and holidays, unless an order for such detention is signed by the judge.

(c) Where practicable no child shall be transported in any police vehicle which also contains adults under arrest. No child shall at any time be detained in any police station, lockup, jail or prison except upon order of the judge and when a child is placed in a jail or other place of detention for adults, he shall be placed in a room or ward entirely separate from adults confined therein.

(d) Provisions regarding bail shall not be applicable to children detained in accordance with the provisions of this act.

(e) Neither the fingerprints nor a photograph shall be taken of any child taken into custody for any purpose, without the consent of the judge.

(f) Peace officers' records of children shall be kept separate from records of adults and shall not be open to public inspection.

SECTION 15. Hearings for children.—All cases of children shall be dealt with as separate hearings by the court and without a jury. The hearings shall be conducted in an informal manner and may be adjourned from time to time. Stenographic notes or other transcript of the hearings shall be required only if the court so orders. The general public shall be excluded and only such persons admitted as the judge shall find to have a direct interest in the case or in the work of the court. The presence of the child in court may be waived by the court at any stage of the proceedings. Hearings may be held at any time or place within the county designated by the judge.

SECTION 16. Quarters for children.—Children detained by the court shall be quartered in such private home or institution as the judge may direct.

SECTION 17. Action by court after exercising jurisdiction of child.—When a child is found by the court to come within the provisions of Section 7 of this act, the court shall so decree and in its decree shall make a finding of the facts upon which the court exercises its jurisdiction over the child. Upon such decree the court may by order duly entered proceed as follows:

(a) Place the child on probation or under supervision in his own home or in the custody of a suitable person elsewhere, upon such conditions as the court may determine. Probation shall mean casework services during a continuance of the case. Probation shall not be ordered or administered as a punishment, but as a measure for the protection, guidance and well being of the child and his family. Probation methods shall be directed to the discovery and correction of the basic causes of maladjustment and to the development of the child's personality and character, with the aid of the social resources of the community.

(b) Commit the child to the custody or to the guardianship of a public or private institution or agency authorized to care for children or to place them in family homes, or under the guardianship of a suitable person. Such commitment shall be for an indeterminate period but in no event shall continue beyond the child's twenty-first birthday. In committing a child to a private institution or agency the court shall select one that is approved by the State Board of Public Welfare.

(c) The court may cause the child concerning whom a petition has been filed to be examined or treated by a physician, psychiatrist or psychologist, and for such purpose may place the child in a hospital or other suitable facility.

(d) Order such other care and treatment as the court may deem best, except as herein otherwise provided. In support of any order or decree the court may require the parents or other persons having the custody of the child, or any other person who has been found by the court to be encouraging, causing or contributing to the acts or conditions which bring the child within the purview of this act, to do or omit to do any acts required or forbidden by law, when the judge deems such requirement necessary for the welfare of the child. In case of failure to comply with such requirement, the court may proceed against such persons for contempt of court.

(e) The court may dismiss the petition or otherwise terminate its jurisdiction at any time.

No adjudication by the court of the status of any child shall be deemed a conviction, nor shall such adjudication operate to impose any of the civil disabilities ordinarily resulting from conviction, nor shall any child be found guilty or be deemed a criminal by reason of such adjudication, nor shall any child be charged with crime or convicted in any court, except as provided in Section 9 of this act. The disposition made of a child, or any evidence given in the court, shall not operate to disqualify the child in any future civil service application or appointment.

Whenever the court shall commit a child to any institution or agency it shall transmit with the order of commitment a summary of its information concerning the child, and such institution or agency shall give to the court such information concerning such child as the court may at any time require.

SECTION 18. Court may appoint guardians.—Whenever, in the course of a proceeding instituted under this act, it shall appear to the court that the welfare of a child will be promoted by the appointment of an individual as general guardian of his person and property, the court shall have jurisdiction to make such appointment, with or without petition.

SECTION 19. Selection of guardians.—In placing a child under the guardianship or custody of an individual or a private agency or institution the court shall, whenever practicable, select a person or

an agency or institution governed by persons of the same religious faith as that of the parents of such child, or in case of a difference in the religious faith of the parents then of the religious faith of the child, or if the religious faith of the child is not ascertainable, then of the faith of either of the parents.

SECTION 20. Payment for care or support of children.—Whenver a child is committed by the court to custody other than that of his parents, or is given medical, psychological or psychiatric treatment under order of the court, and no provision is otherwise made by law for the support of such child or payment for such treatment, compensation for the care and treatment of such child, when approved by order of the court, shall be subject to whatever provision may be made (for the financing of indigents) by the county. The court may, after giving the parent a reasonable opportunity to be heard, order and decree that such parent shall pay in such manner as the court may direct such sum, within his ability to pay, as will cover in whole or in part the support and treatment of such child. If the parent shall willfully fail or refuse to pay such sum, the court may proceed against him as for contempt.

SECTION 21. Criminal jurisdiction of court.—(a) The court shall have criminal jurisdiction concurrent with other courts having such jurisdiction to try all cases involving an adult charged with the following offenses:

- (1) Bastardy;
- (2) Deserting, abandoning, or failing to provide support for wife or minor dependent unmarried children in violation of the law;
- (3) Contributing to the delinquency of a minor; and
- (4) All those offenses enumerated in Sections 20-301 and 20-302, Code of Laws of South Carolina, 1962.

(b) Upon a magistrate's issuing a warrant charging any person with commission of any of the foregoing offenses, the court shall have power to receive a plea of guilty from the person so charged if such person waives presentment or indictment by the grand jury.

(c) Upon the grand jury's presenting or indicting any person for commission of any of the foregoing offenses, the circuit solicitor may transfer the case, indictment, and all pertinent records to the court for trial or plea. Such trial shall be without a jury unless the defendant demands a trial by jury, and in that event the court shall remand the case to the circuit court.

(d) The Court shall have the power to impose the penalty or sentence provided by law for such offenses.

SECTION 22. Additional jurisdiction and powers.—In addition to the jurisdiction and powers conferred upon the Juvenile and Domestic Relations Court, the court shall have jurisdiction and powers as set forth in Sections 15-1221, 15-1222, 15-1226 to 15-1237, inclusive; 15-1239 to 15-1241, inclusive; 15-1243, 15-1244, 15-1246 to 15-1252, inclusive; 15-1254 to 15-1260, inclusive, and 15-1264 to 15-1274, inclusive, of the 1962 Code.

In the exercise of its jurisdiction, the court shall have powers:

(1) To order support of a wife, child or stepchild or both, irrespective of whether they are likely to become a public charge;

(2) To include in the requirements of an order for support the providing of necessary shelter, food, clothing, care, medical attention, expenses of confinement, expense of educating the child, payment of funeral expenses and other proper and reasonable expenses;

(3) To require of persons legally chargeable with the support of a wife, child or stepchild who are possessed of sufficient means or who are able to earn such means the payment weekly or at other fixed periods of a fair and reasonable sum for such support or as a contribution towards such support, according to the means of the persons so chargeable;

(4) To make all orders for support run until further order of the court except that orders for support of a child shall run until the child is twenty-one years of age or, when there are physical or mental disabilities of the child or other exceptional circumstances that warrant it, in the discretion of the court during any period and beyond the child's minority as such physical or mental disabilities may continue;

(5) To require the support of a wife who needs support when there are no children, even though there is no physical or mental disability;

(6) To make an order for support of a wife by the husband, even though she may have left the home, when the husband's conduct or condition or his cruel or inhuman behavior made it unsafe, improper or undesirable for her to continue to live with him;

(7) To make an "order of protection" in assistance or as a condition of an order for support, setting forth conditions of behavior to be observed for a specified time which shall be binding upon hus-

bands or wives or both, or upon parties to the proceeding as provided in Section 15-1227, either during the pendency of the proceeding or in the final judgment or in furtherance thereof or both;

(8) To award the custody of the children during the term of any order of protection to either spouse or an appropriate relative or other person or to a child welfare agency or institution;

(9) To determine the manner in which sums ordered paid for support shall be paid and applied;

(10) To require a person ordered to support another to give security by a written undertaking that he will pay the sums ordered by the court for such support and, upon the failure of any person to give such security by a written undertaking when required by order of the court, to punish such person under the provisions of Section 23 of this act; and, when appropriate, to discharge any such undertaking;

(11) In lieu of requiring an undertaking, to suspend sentence and place on probation a person who has failed to support another as required by law and to determine the conditions of such probation and require them to be observed; to revoke such suspension of sentence and probation when circumstances warrant it and to discharge a respondent from probation;

(12) To commit to jail as for contempt of court for a term not to exceed twelve months a person who fails to obey the lawful orders of the court, but such commitment shall not prevent the court from subsequently committing such person for failure thereafter to comply with such orders;

(13) To release on probation prior to the expiration of the full term a person committed to jail for failure to obey an order of the court or upon conviction for nonsupport when the court is satisfied that the best interests of the family and the community will be served thereby;

(14) To modify or vacate any order issued by the court;

(15) To order either before, during or after a hearing a mental, physical and psychiatric examination of the petitioner or respondent;

(16) To commit for purposes of observation, in the manner provided by law for a probate judge or as provided in Section 32-969, a person before the court who the court has reason to believe may be insane;

(17) To send process or other mandates in any matter in which it has jurisdiction into any county of the State for service or execution

in like manner and with the same force and effect as similar process or mandates of the circuit courts as provided by law ;

(18) To compel the attendance of witnesses ;

(19) To make any order necessary to carry out and enforce the provisions of this act and to hear and determine any questions of support, custody, separation or any other matter over which the family court has equitable jurisdiction, without the intervention of a jury ; and

(20) To remain for not more than five days for purposes of investigation or to admit to bail or to parole on his own recognizance or in the custody of counsel a person charged with nonsupport.

SECTION 23. Penalties for violations by adults.—Any adult who wilfully violates, neglects or refuses to obey or perform any lawful order of the court, or who violates any provision of this act, may be proceeded against for contempt of court. Any adult found in contempt of court may be punished by a fine not to exceed one thousand dollars or by imprisonment not to exceed one year, or by both such fine and imprisonment.

SECTION 24. Sessions and quarters.—Sessions of the court shall be held at such times as the court shall from time to time determine. The quarters for the hearing of cases and for the use of the judge and other employees of the court shall be such as designated by the governing body of Oconee County.

SECTION 25. Fees.—In proceedings under Section 7 of this act no court fee shall be charged against and no witness fees shall be allowed to any party to a petition. No officer of the State or of any political subdivision thereof shall be entitled to receive any fee for the service of process or for attendance in court in any such proceedings. All other persons acting under orders of the court may be paid for services or service of process, and attendance or serving as witnesses, the fees provided by law for like services in cases before the circuit court, to be paid from the appropriation provided when the allowances are certified to by the judge. In cases, other than those under Section 7, the court shall receive such fees and costs as are provided by law for like proceedings in the circuit court. Such fees and costs shall be remitted to the Treasurer of Oconee County.

SECTION 26. Records—not to be made public—penalties.—The court shall make and keep records of all cases brought before

it and shall devise and cause to be printed such forms for social and legal records and such other papers as may be required. The court's official records shall be open to inspection only by consent of the judge to persons having a legitimate interest therein. All information obtained and social records prepared in the discharge of official duty by an employee of the court shall be privileged and shall not be disclosed directly or indirectly to anyone other than the judge or others entitled under this act to receive such information, unless and until otherwise ordered by the judge. The name or picture of any child under the jurisdiction of the court shall not be made public by any newspaper or radio or television station except as authorized by order of the court. Any person found guilty of violating this section shall be guilty of a misdemeanor and subject to be fined not more than one hundred dollars or imprisonment for not more than thirty days. The records in proceedings under Section 7 of this act shall be filed in the office of the court. The records of all other proceedings shall be filed in the office of the Clerk of Court for Oconee County.

SECTION 27. Court to be assisted by other agencies.—The court is authorized to seek the cooperation of all societies or organizations, public or private, having for their object the protection or aid of delinquents or neglected children, to the end that the court may be assisted in every reasonable way to give to all such children the care, protection and assistance which will conserve the welfare of such children. It is made the duty of every city, town or municipal official or department in the county to render such assistance and cooperation within his or its jurisdictional power to further the objects of this act. All institutions, associations or other custodial agencies in which any child may be, coming within the provisions of this act, are required to give such information to the court or any of the officers appointed by it as the court or officers may require for the purpose of this act.

SECTION 28. Appeals.—Any party to a proceeding may appeal from any order or decree of the court to the circuit court in the manner now provided for appeal to the circuit court from other inferior courts.

The pendency of an appeal or application therefor shall not suspend the order of the Juvenile and Domestic Relations Court regarding a child nor shall it discharge the child from the custody of that court or of the person, institution or agency to whose care

such child shall have been committed. If the circuit court does not dismiss the proceedings and discharge the child, it shall affirm or modify the order of the Juvenile and Domestic Relations Court and remand the child to the jurisdiction of that court for supervision and care, and thereafter the child shall be and shall remain under the jurisdiction of the Juvenile and Domestic Relations Court in the same manner as if no appeal had been taken.

SECTION 29. Jurisdiction in divorce cases.—The court shall have concurrent jurisdiction with the circuit court in cases of divorce.

SECTION 30. Jurisdiction in adoption and support proceedings.—The court shall also have jurisdiction over adoption proceedings and the jurisdiction conferred on domestic relations courts by Sections 20-311 to 20-340, Code of Laws of South Carolina, 1962, known as the "Uniform Reciprocal Enforcement of Support Act".

SECTION 31. When court to begin functioning.—The court as provided for in this act shall not begin to function until July 1, 1964, at which time the judge shall enter upon the performance of his duties.

It is contemplated, however, that all acts necessary to be done to put the court in operation by July 1, 1964, will be done in a reasonable time immediately after the approval of this act.

SECTION 32. Repeal.—All acts or parts of acts inconsistent herewith are hereby repealed.

SECTION 33. Tme effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1284, S880)

No. 1042

An Act To Exempt All Property Of The Baker Memorial Sanatorium In The City Of Charleston From All County, Municipal, School And Special Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Baker Memorial Sanatorium exempt from taxes in Charleston County.—All property of the Baker Memorial Sana-

torium, located at the southwest corner of Ashley Avenue and Beaufain Street in the City of Charleston, is exempt from county, municipal, school and special taxes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1288, H1089)

No. 1043

An Act To Amend Section 21-3412 Of The 1962 Code, Relating To The Election Of School Trustees In Lexington County, So As To Lower The Percentage Of Qualified Electors Required To Petition To Call For The Election Of Trustees.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-3412 amended—election of school trustees in Lexington County.—Section 21-3412 of the 1962 Code is amended by striking on line one the word “forty” and inserting the word “twenty”. The section when amended shall read as follows:

“Section 21-3412. Upon receipt of a petition signed by twenty per cent of the qualified voters of any school district directed to the county board of education, the board shall order an election to be held on the same day as the General Election in November of the year before in which the term of the trustee expires for the purpose of nominating a trustee or trustees. The person receiving the highest number of votes shall be declared the nominee. The county superintendent of education shall prepare the ballots, name the managers and designate the polling precincts. Polls shall be open between the hours of eight A.M. and six P.M. Qualifications to vote in the election shall be the same as required by the general election laws of this State. All candidates must be qualified voters and must file an affidavit to that effect with the county superintendent of education on or before the second Tuesday in February of the year in which the election is to be held. As soon as reasonable following any election held under the provisions of this section the county board of education shall meet, canvass the ballots, declare the results, and commission the nominee as a trustee.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1289, H1347)

No. 1044

An Act To Amend Section 28-761 Of The 1962 Code, Relating To Penalties For Violations Of Certain Fish And Game Statutes, So As To Eradicate Prior Convictions After The Elapse Of Certain Periods.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-761 amended—penalties for certain violations.—Section 28-761 of the 1962 Code is amended by adding the following proviso: “*Provided*, that in determining the applicable sentence to be imposed under the provisions of this section, one offense for each year that elapses subsequent to any offense for which he has been convicted shall be eradicated and the offender shall be sentenced accordingly.”

When amended the section shall read as follows :

“Section 28-761. Any person violating any of the provisions of articles 1 to 3 and 6 to 13 of this chapter, except Sections 28-760, 28-774, 28-861.4, 28-875 and 28-877, or of Sections 28-792, 28-795, 28-822 and 28-991 shall, upon conviction, be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars or by imprisonment for not less than ten days nor more than thirty days for the first offense. For the second offense the penalty shall be not less than fifty dollars nor more than one hundred dollars or by imprisonment for not less than twenty days nor more than thirty days. For the third offense the penalty shall be a fine of not less than one hundred dollars nor more than five hundred dollars or imprisonment for not less than sixty days nor more than six months. *Provided*, that in determining the applicable sentence to be imposed under the provisions of this section, one offense for each year that elapses subsequent to any offense for which he has been convicted shall be eradicated and the offender shall be sentenced accordingly.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1290, H1565)

No. 1045

An Act To Amend Sections 56-1345, 56-1346, 56-1349 And 56-1349.1 Of The 1962 Code, Relating To Physical Therapists, So As To Increase The Fees Required For Registering And Licensing Physical Therapists In South Carolina; To Amend The 1962 Code By Adding New Sections 56-1348.1 And 56-1348.2, So As To Permit Graduate Students To Practice Physical Therapy Without A License And To Permit The Temporary Registering And Licensing Of Foreign-Trained Physical Therapists.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 56-1345 amended—application and fee for registration.—Section 56-1345 of the 1962 Code is amended by striking on the last line the word “ten” and inserting in lieu thereof the word “twenty-five” so that when so amended the section shall read as follows:

“Section 56-1345. Unless entitled to register under Section 56-1346, a person who desires to be registered as a physical therapist shall apply to the Board, in writing, on a blank furnished by the Board. He shall embody in that application evidence under oath, satisfactory to the Board, of his possessing the qualifications preliminary to examination required by Section 56-1344. He shall pay to the Board a fee of twenty-five dollars at the time of filing his application.”

SECTION 2. Section 56-1346 amended—reciprocal registration.—Section 56-1346 of the 1962 Code is amended by striking on line 3 the word “ten” and inserting in lieu thereof the word “twenty-five” so that when so amended the section shall read as follows:

“Section 56-1346. The Board may, in its discretion, register as a physical therapist, without examination, on the payment of a fee of twenty-five dollars, an applicant for registration who is a physical therapist registered under the laws of another state or territory, if the requirements for registration of physical therapists in the state or territory in which the applicant was registered were at the date of his registration substantially equal to the requirements in force in this State and if the state or territory whence the applicant comes accords a similar privilege of registration without examination to holders of certificates as registered physical therapists under this chapter.”

SECTION 3. Section 56-1349 amended—temporary permits.—Section 56-1349 of the 1962 Code is amended by striking on line

5 the word "two" and inserting in lieu thereof the word "five" so that when so amended the section shall read as follows:

"Section 56-1349. The Board may, upon request, issue to each properly qualified applicant for registration on licensure a temporary permit which will authorize such applicant to practice physical therapy until the next meeting of the Board. The applicant will pay a fee of five dollars for this privilege, none of which shall be returned, nor will it be applied to the fee for regular registration."

SECTION 4. Section 56-1349.1 amended—annual extension of registration.—Section 56-1349.1 of the 1962 Code is amended by striking on line 3 the word "two" and inserting in lieu thereof the word "five" so that when so amended the section shall read as follows:

"Section 56-1349.1. Every registered physical therapist shall, on or before January first, in each year, apply to the Board for an extension of his registration and pay a fee of five dollars. Registration that is not so extended shall automatically lapse. The Board may in its discretion revive and extend a lapsed registration on the payment of all past unpaid extension fees."

SECTION 5. Section 56-1348.1 added—certain graduate students not required to register.—The 1962 Code is amended by adding new Section 56-1348.1 which shall read as follows:

"Section 56-1348.1. Physical therapists, including foreign-trained physical therapists, who are graduate students in special physical therapy courses receiving a small stipend rather than the usual staff salary for practicing their profession as part of their training, shall not be required to register as physical therapists in South Carolina. Any such physical therapist shall furnish sufficient information to the State Examining Board for it to determine such person's status. At the end of one year, should the student wish to continue his education in this State, he must apply to the Board for evaluation of his status as of that time."

SECTION 6. Section 56-1348.2 added—registration of foreign-trained physical therapists.—The 1962 Code is amended by adding new Section 56-1348.2 which shall read as follows:

"Section 56-1348.2. A temporary certificate of registration, limited to six months, may be issued to a foreign-trained physical therapist who (1) makes the usual application for registration, (2) holds a diploma from an approved school of physical therapy in his own

country, (3) is a member of a professional association belonging to the World Confederation of Physical Therapists whose credentials are acceptable to the American Physical Therapy Association and to the Board and (4) pays the required registration fee.

A regular certificate of registration may be issued to a foreign-trained physical therapist who fulfills the above requirements in the paragraph above of this section and who passes the next South Carolina State examination for registration or who has passed the American Physical Therapy Association's examination for foreign-trained physical therapists."

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1291, H1585)

No. 1046

An Act To Amend Section 65-775 Of The 1962 Code, Relating To Charges In Lieu Of Discounts Or Allowances On Crowns, So As To Reduce The Charges For Certain Numbers Of Crowns.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-775 amended—charges in lieu of discounts on crowns.—Section 65-775 of the 1962 Code is amended by striking on line four "Seventy-two" and inserting "Thirty-six", so that, when so amended, the section shall read as follows:

"Section 65-775. In lieu of all discounts or allowances of any kind, the Commission shall make the following charges for soft drinks license tax crowns or lids sold: Thirty-six cents per gross for each one cent of face value of the first five thousand gross of one-cent units of face value of crowns or lids or both purchased by any one person in any one fiscal year regardless of whether the crowns or lids constituting such first five thousand gross of one-cent units of face value are of the same or of different face values; and one dollar and twenty-two cents per gross for each one cent of face value of every other gross so purchased.

The reduced rate for the first five thousand gross of one-cent units of face value of soft drinks license tax crowns or lids shall be applied only once during any one fiscal year to any one manufacturing plant.

Nothing in this section shall restrict the right of the Commission to make refunds to purchasers of crowns or lids in case of disaster as prescribed by regulation of the Commission."

SECTION 2. Time effective.—This act shall take effect on July 1, 1964.

Approved the 24th day of April, 1964.

(R1292, H1959)

No. 1047

An Act To Amend Sections 51-2.1, 51-2.2, 51-2.3 And 51-2.4 Of The Code Of Laws Of South Carolina, 1962, Providing For The Operation Of State Parks, So As To Further Provide For Their Operation Upon Certain Conditions, The Uses Which May Be Made Of Them By The Public, And Providing Punishment For Violations, And To Stipulate That Edisto Beach State Park Shall Remain Closed, And To Provide For Santee Park.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 51-2.1 through 51-2.4 amended—operation of State Parks—penalties—exceptions for Edisto Beach and Santee State Parks.—Sections 51-2.1, 51-2.2, 51-2.3 and 51-2.4 of the Code of 1962 are amended by striking out all of the sections and inserting in lieu thereof the following which shall be Sections 51-2.1, 51-2.2, 51-2.3 and 51-2.4:

"Section 51-2.1. The State Commission of Forestry may control, supervise, maintain and, wherever practicable, improve all parks belonging to the State, for general recreational, educational and forestry purposes, *provided*, however, that swimming and rental or use of park cabins shall not be allowed.

"Section 51-2.2. The Commission shall operate the parks without facilities or publicly conducted activities, exclusive of camping facilities, and all publicly owned buildings and structures within the parks shall be closed to entry by the general public. *Provided*, however, that organized groups may use the pavilions, picnic areas, and meeting places within the parks, upon filing with the Park Superintendent of the park involved an application to be allowed to use the particular park facilities at least forty-eight hours in advance of the proposed use, and securing permission for such use from the Superin-

tendent, who shall not give such permission to any two or more groups for use of the same area and buildings at the same time. Those buildings and structures necessary for the operation, maintenance and upkeep of the park by employees of the Commission not being open to the public, shall not be affected hereby. *Provided*, that any museum or relic room located in any park shall remain open. *Provided*, that where a park is located on any seacoast in this State, a request to the State Commission of Forestry from a majority of the legislative delegation, including the Senator, of the particular county concerned to permit additional activities and the use of additional facilities or to eliminate camping in a park located in the county, shall be granted.

“Section 51-2.3. Anyone using the park cabins or swimming in violation of the terms of Sections 51-2.1, 51-2.2 or 51-2.3, or any person which uses the pavilion or meeting place, or picnic area without a permit, shall be guilty of a misdemeanor and, on conviction, shall be fined not less than twenty-five dollars nor more than one hundred dollars, or imprisoned for not more than thirty days.

“Section 51-2.4. Notwithstanding any other provision of law, Edisto Beach State Park shall remain closed until further action by the General Assembly; and Santee Park in Orangeburg County shall be open only as a nature trail or a place to be visited and for fishing and for no other purpose.”

SECTION 2. Saving clause.—If for any reason any part of this act shall be declared unconstitutional, the remaining portion thereof shall remain in full force and effect.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

An Act To Amend Section 10-2403 Of The 1962 Code, Relating To The Publication Of Summons And Service Upon Nonresidents For Recovery Of Real Property, So As To Eliminate Duplicate Service Of Process.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 10-2403 amended—publication of summons and service upon nonresidents.—Section 10-2403 of the 1962 Code is amended by striking after the word “obtained” on line 3 the remainder of the section and inserting in lieu thereof the following: “by complying with the provisions of Sections 10-452 and 10-454.” When so amended the section shall read as follows:

“Section 10-2403. When any action is commenced to determine adverse claims, publication of the summons may be made and service upon parties outside of the State and unknown claimants obtained by complying with the provisions of Sections 10-452 and 10-454.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1294, H2032)

No. 1049

An Act To Amend Sections 70-117 And 70-133 Of The 1962 Code, Relating To Water Pollution, So As To Further Provide For Permits And Penalties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 70-117 amended—permit required to discharge sewage or waste through new outlet—penalties.—Section 70-117 of the 1962 Code is amended by adding on line 2 between “outlet” and “for” the following: “or any increase in the size or capacity of an existing outlet”, and by striking the last sentence and inserting in lieu thereof: “Any person who shall make or cause to be made such outlet without the prior issuance of a permit by the authority shall be guilty of a misdemeanor and upon conviction shall be fined not less than five hundred dollars nor more than five thousand dollars or be imprisoned for not more than two years. Every person who commits any such violation shall be prosecuted by the authority and such prosecution shall be instituted only by the authority in the name of the people of the State.” The section when amended shall read as follows:

“Section 70-117. Any person desiring to make or cause to be made any new outlet or any increase in the size or capacity of an

existing outlet for the discharge of sewage, industrial wastes or other wastes, or the effluent therefrom, into the waters of the State, shall first make an application to the authority for a permit to construct and use such outlet. If, after hearing, the authority finds that the discharges from such proposed outlet will not be in contravention of the standards adopted by the authority, such permit shall be issued to such applicant. Any person who shall make or cause to be made such outlet without the prior issuance of a permit by the authority shall be guilty of a misdemeanor and upon conviction shall be fined not less than five hundred dollars nor more than five thousand dollars or be imprisoned for not more than two years. Every person who commits any such violation shall be prosecuted by the authority and such prosecution shall be instituted only by the authority in the name of the people of the State."

SECTION 2. Section 70-133 amended—penalties.—Section 70-133 of the 1962 Code is amended by striking the word "one" on line 4 and inserting the word "five", and by striking the words "five hundred" and inserting on line 5 the words "one thousand". The section when amended shall read as follows:

"Section 70-133. Any person who shall wilfully violate any final determination or order of the authority promulgated pursuant to this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five hundred dollars nor more than one thousand dollars or by imprisonment for a term of not more than one year, or by both such fine and imprisonment, for each separate violation. Each day upon which such violation occurs shall constitute a separate violation."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

An Act To Amend Section 28-880.1 Of The 1962 Code, Relating To The Prohibition Of Crab Pots In Certain Areas, So As To Provide For The Use Of Such Crab Pots At Certain Times.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-880.1 amended—use of crab pots in certain areas.—Section 28-880.1 of the 1962 Code is amended to read as follows:

“Section 28-880.1. It shall be unlawful to set or use any trap or basket commonly termed a “crab pot” for the purpose of catching crab within the tributaries and between the headlands of all rivers and creeks including Chechessee River north of Daws Island on the west side of Broad River to the Chechessee River bridge on South Carolina Highway No. 170 from May first to September thirtieth.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1297, H2131)

No. 1051

An Act To Provide For The Filing Of Certain Property Tax Returns On The Basis Of The Taxpayer's Accounting Period For Income Taxation; To Amend Sections 65-1647, 65-1648, 65-1663 And 65-1664 Of The 1962 Code, Relating To Property Taxation, So As To Require A Manufacturer To Return For Taxation Manufactured Articles Offered Or Available For Sale At Retail; To Provide For The Valuing Of Real And Personal Property For Property Taxation Purposes; To Classify Pawnbrokers As Merchants For Tax Purposes; And To Repeal Sections 65-1628, 65-1629 And 65-1630 Of The 1962 Code, Relating To Property Taxation, So As To Exempt Persons Beginning Business After The First Day Of January From Filing A Pro Rata Return For County Taxation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain property tax returns to be filed on basis of taxpayer's accounting period for income taxation.—Notwithstanding any other provision of law, the assessment for property taxation of merchants' inventories, merchants' equipment, furniture and fixtures and the machinery, equipment, furniture and fixtures of all other taxpayers required to file returns with the South Carolina Tax Commission for purposes of assessment for property taxation, shall be determined by the Tax Commission from property

tax returns submitted by the taxpayer to the Tax Commission on or before the fifteenth day of the fourth month next after the close of the accounting period regularly employed by the taxpayer for income tax purposes under Chapter 5, Title 65, of the 1962 Code. The Tax Commission by regulation shall prescribe the form of the return required by this section, the information to be contained therein and the manner in which such return shall be submitted. Every taxpayer required to return to the Tax Commission inventory, machinery, equipment or furniture and fixtures for the purpose of assessment for property taxation shall make such return to the Tax Commission not less than once each calendar year. Whenever by a change of accounting period, or otherwise, more than one accounting period ends within any one calendar year, the taxpayer shall make one such return within the prescribed time for filing following the end of each such accounting period; and, the Tax Commission shall determine the assessment from the return setting out the greatest values.

This section shall be effective, with respect to property returned for taxation, on or after January 1, 1965.

SECTION 2. Item (12) of Section 65-1647 amended—what returns required to show.—Item 12 of Section 65-1647 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“(12) The value of all machinery, equipment, tools, fixtures and implements and all manufactured articles which have been offered for sale at retail or which have been available for sale at retail.”

This item shall be effective, with respect to property returned for taxation, on or after January 1, 1964.

SECTION 3. Section 65-1648 amended—valuation of property for taxation.—Section 65-1648 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 65-1648. All property shall be valued for taxation at its true value in money which in all cases shall be held to be the price which the property would bring following reasonable exposure to the market, where both the seller and the buyer are willing, are not acting under compulsion, and are reasonably well informed as to the uses and purposes for which it is adapted and for which it is capable of being used.”

This section shall be effective, with respect to property returned for taxation, on or after January 1, 1964.

SECTION 4. Section 65-1663 amended—returns of manufacturers.—Section 65-1663 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 65-1663. Any such manufacturer shall list at their full value all machinery, tools, implements, fixtures and equipment used or purchased for use in his business, except such as have been appraised for taxation as part of the realty, and all manufactured articles which have been offered for sale at retail or which have been available for sale at retail.”

This section shall be effective, with respect to property returned for taxation, on or after January 1, 1964.

SECTION 5. Section 65-1664 amended—pawnbrokers.—Section 65-1664 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 65-1664. Pawnbrokers shall be assessed and taxed with respect to unredeemed property and other property in the same manner and with like effect as all merchants are assessed and taxed.”

This section shall be effective, with respect to property returned for taxation, on or after January 1, 1964.

SECTION 6. Repeal.—Section 65-1628, 65-1629 and 65-1630 of the 1962 Code are repealed.

This section shall be effective, with respect to property returned for taxation, on or after January 1, 1964.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

An Act To Amend Section 28-1214 Of The 1962 Code As Amended, Relating To Fishing Regulations In The Waters Of Lakes Marion And Moultrie, The Diversion And Tail Canals, So As To Change The Designation Of Hickory Shad To Gizzard Shad; To Include Herring; And To Change The Daily Limit Of Such Fish.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (3) of Section 28-1214 amended—use of seines—daily limit.—Item (3) of Section 28-1214 of the 1962 Code as amended by Act No. 855 of 1962 and reflected therein as Item (5) is amended to read as follows:

“(3) Seines not exceeding one hundred feet in length may be used for the catching of gizzard shad or herring to be used for bait; no person shall catch more than three hundred pounds of such fish in any one day;”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1299, H2134)

No. 1053

An Act To Amend Sections 65-320 And 65-362 Of The 1962 Code, Relating To Underestimating Income Tax And Penalties For Failure To Pay Tax, So As To Reduce The Estimate Of The Actual Tax Due And To Reduce The Penalty And Interest For Failure To Pay Any Tax Due.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-320 amended—penalties for underestimating tax.—Section 65-320 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 65-320. A taxpayer who makes a declaration of estimated tax for the taxable year shall estimate an amount not less than seventy per cent of the amount actually due. Should a taxpayer fail to make an estimate on any quarterly due date equivalent to at least seventy per cent of the final tax due, a penalty of five per cent of the tax and interest at the rate of one-half of one per cent per month, or fraction thereof, shall be added and paid on the full amount of the underestimate of the final tax due. The penalty provided by this section shall not be applicable where the original amount of estimated tax is the same amount shown to be due by the return of the individual for the preceding taxable year where such return showing a liability for tax was filed by the individual for the preceding taxable year or twelve months.”

SECTION 2. Section 65-362 amended—penalties for failure to pay tax.—Section 65-362 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 65-362. Any person required by this chapter to pay any tax, who fails to pay any tax within the time allotted for the payment of the tax, shall pay, in addition to the tax required to be paid, a penalty of twenty-five per cent of the tax and interest at the rate of one-half of one per cent per month, or fraction thereof. Any person required by this chapter to remit any installment of an estimated tax, who fails to pay any installment of an estimated tax within the time allotted for the payment of the tax, shall pay, in addition to the installment required to be paid, a penalty of five per cent of the installment and interest at the rate of one-half of one per cent per month, or fraction thereof. If the tax and all applicable penalties are not paid in ten days from date of demand therefor by the Commission, the Commission shall issue a warrant, for the collection of the tax and all applicable penalties, as provided by this chapter.”

SECTION 3. Time effective.—Upon approval by the Governor, this act shall take effect January 1, 1964.

Approved the 24th day of April, 1964.

(R1300, H2185)

No. 1054

An Act To Amend Section 32-1065 Of The 1962 Code, Providing For The Disposition Of Proceeds Of The Sale Of Timber From The Lands Of Whitten Village, So As To Provide That Such Proceeds May Be Used For Capital Improvements At The Village.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 32-1065 amended—disposition of proceeds from timber sales.—Section 32-1065 of the 1962 Code is amended by striking on line 4 the words “for pasturage” and inserting “or for capital improvements”. The section when amended shall read as follows:

“Section 32-1065. The proceeds of a sale made under Section 32-1064 not in excess of thirty thousand dollars may be used by the board of trustees of Whitten Village in purchasing additional lands

or for capital improvements for the Village. The proceeds of sale in excess of thirty thousand dollars shall be placed in the general fund of the State."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1307, H2569)

No. 1055

An Act To Create An Advisory Rural Fire Control Board For Berkeley County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Advisory rural fire control board created for Berkeley County.—There is hereby created an advisory rural fire control board for Berkeley County. The board shall consist of seven members who shall be appointed by the Governor upon the recommendation of a majority of the Berkeley County Legislative Delegation for terms of three years or until their successors are appointed and qualify. Of the members of the board first appointed, two shall serve for terms of one year, two shall serve for terms of two years and three shall serve for terms of three years or until their successors are appointed and qualify. The board shall elect annually one of its members as chairman and one of its members as secretary. It shall meet on call of the chairman or a majority of its members. The duty of the board shall be to coordinate the activities of the local rural fire control board.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1311, H2260)

No. 1056

An Act To Amend Section 8-176 Of The 1962 Code, Relating To Fraudulent Checks, So As To Include Checks Issued To Hostels And For Services.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 8-176 amended—unlawful to give fraudulent checks.—Section 8-176 of the 1962 Code is amended by adding between “money” and “or” on the third line, “, services” and by adding at the end thereof the following: “Payment for meals, lodging or other goods or services at any hotel, motel or other hostelry by means of a check, draft or order at any time prior to or upon departure or check-out from such hostelry shall be construed as obtaining such goods or services by means of such check, draft or order for the purposes of this section.” The section when amended shall read as follows :

“Section 8-176. It shall be unlawful for any person, in his own name or in any other capacity whatsoever, to obtain money, services or other property of any kind or nature whatever with fraudulent intent or to obtain credit with like intent by means of a check, draft or order of which such person is maker or drawer or which though he is not maker or drawer he, with like intent, utters or delivers or aids or abets another to utter or deliver. The word ‘*credit*’ as used in this section shall be construed to mean securing further advances of money or goods by means of a check, draft or order given in whole or in part payment of a then-existing account. Payment for meals, lodging or other goods or services at any hotel, motel or other hostelry by means of a check, draft or order at any time prior to or upon departure or check-out from such hostelry shall be construed as obtaining such goods or services by means of such check, draft or order for the purposes of this section.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

An Act To Amend Sections 15-1117 And 15-1121, Of The 1962 Code, Relating To Qualifications Of Judges And Associate Judges Of Certain Domestic Relations Courts, So As To Decrease The Number Of Years Of Residency And Practice Required Before Appointment; To Amend Section 15-1134, Of The 1962 Code,

Relating To Receipts And Disbursements By The Clerk Of Certain Domestic Relations Courts, So As To Permit Destruction Of Certain Records; To Amend Section 15-1152, Of The 1962 Code, Relating To Terms, Hours And Certain Duties Of The Judge, So As To Delete The Requirement Of Visitations; To Amend Section 15-1275, Of The 1962 Code, Relating To Appeals From Domestic Relations Courts, So As To Further Provide For Sureties; And To Provide Fees And Costs In Domestic Relations Courts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-1117 amended—qualifications of judges.—Section 15-1117 of the 1962 Code is amended by striking “ten” on line 5 and inserting “five” so that, when so amended, it shall read:

“Section 15-1117. No person shall be eligible to appointment as such judge unless he be a resident of the county and shall have been admitted to practice as an attorney at law by the Supreme Court and, in the case of a judge of a domestic relations court, shall have been so resident and so admitted at least five years prior to the date of such appointment.”

SECTION 2. Section 15-1121 amended—qualifications of associate judges.—Section 15-1121 of the 1962 Code is amended by striking “ten” on lines 4 and 5 and inserting “five” so that, when so amended, it shall read:

“Section 15-1121. No person shall be eligible to appointment as such associate judge unless he shall have been admitted to practice as an attorney at law by the Supreme Court at least five years prior to the date of his appointment and shall have resided in the county at least five years.”

SECTION 3. Section 15-1134 amended—deposits, receipts and disbursements.—Section 15-1134 of the 1962 Code is amended by striking the sentence beginning with “No” on line 10 and inserting: “The carbon copies of receipts may be destroyed by order of the judge after the expiration of ten years.” and by striking the word “said” on line 13 and inserting “the” so that, when so amended, the section shall read:

“Section 15-1134. Each day at the close of the day the clerk shall deposit in a bank approved by the court all funds then on hand. He shall keep a careful and accurate record of all money received

and paid out in accordance with the rules of the court. He shall cause to be given or sent to each person making payments to the court a receipt upon a printed form to be signed in the name of the court with his name signed thereto, with a statement of the amount of money received and from whom and on whose behalf. Each such receipt shall carry a serial number which shall also appear upon a carbon copy on an identical form on which the information filled in on the original shall appear. The carbon copies of receipts may be destroyed by order of the judge after the expiration of ten years. The judge shall, at least once a month, carefully examine and check over these carbon copies and the records of all money received and paid out in the court."

SECTION 4. Section 15-1152 amended—terms of court—hours—vacation for judge.—Section 15-1152 of the 1962 Code is amended by changing the comma after "determine" on line 11 to a period and striking the remainder of the section. When so amended, the section shall read :

"Section 15-1152. The children's court shall be open and sessions of court shall be held every day in the year except Sundays and legal holidays. The family court shall also be open and sessions of court shall be held every day in the year except Sundays and legal holidays. The court shall be open and ready for the transaction of business on all such days at ten o'clock in the morning and shall not close before two o'clock in the afternoon on weekdays, nor before one o'clock in the afternoon on Saturdays. The judge shall be in actual attendance thereon during such hours, except for a reasonable recess, and shall be entitled to a vacation of one month in each year to be taken at such time or times as he may determine."

SECTION 5. Section 15-1275 amended—stay on appeal in family court cases.—Section 15-1275 of the 1962 Code is amended to read as follows :

"Section 15-1275. In family court cases an appeal shall not operate as a stay of proceedings in respect to the order and no stay shall be granted unless :

(1) On an appeal from a domestic relations court the appellant gives a sufficient surety by a written undertaking, or by depositing cash, approved by the judge of the court, that during the pendency of such appeal he will pay the amount directed to be paid to the family court for the support of the petitioner when such payments fall due under such order ; or

(2) On an appeal from a juvenile domestic relations court the appellant gives sufficient surety by a written undertaking, or by depositing cash, approved by the judge of the court, that during the pendency of such appeal he will pay the amount directed to be paid to the family court for the support of the petitioner when such payments fall due under such order.

Failure to make such payments automatically vacates any stay of the proceedings."

SECTION 6. Payment of fees.—In all proceedings brought in a domestic relations court (children's division) under Section 15-1171, no court fees shall be charged and no witness fees shall be allowed to any party to a petition. No officer of the State or any subdivision thereof shall be entitled to receive any fee for the service of process or for attendance in court in any such proceedings. All other persons acting under order of court may be paid for services or service of process, and attendance or serving as witnesses, the fee provided by law for like services in cases before the circuit court, to be paid from the appropriations provided for such court expenses when the allowances are certified by the judge.

SECTION 7. Schedule of fees.—In all proceedings brought in a domestic relations court (family court division) as defined under Section 15-1103 in the exercise of the powers set forth in Section 15-1225, the following fees and costs are provided, which shall be paid in advance:

Preparing and Filing Petition	\$ 1.00
Serving Summons and Petitions	1.00
Court Hearing	2.00
Preparing and Filing Orders	1.00
Service by Mail, each Order25
Furnishing Additional Certified Copies of Orders (Each Order)50
Serving Witnesses50
Issuing and Serving Warrants (Contempt)	1.00
Filing Pleadings and Hearings (Divorce)	10.00
Adoptions	5.00
Recording Testimony (per reel)	2.00
Transcribing and Furnish Record ...	Same charge as provided for Circuit Court Stenog- rapher.

In addition, the court shall charge three per cent of all moneys collected and disbursed, not to exceed five dollars for any one transaction. The fees and costs shall be transmitted to the county treasurer for deposit in the general fund of Charleston County; *provided*, that in all cases of poverty or other hardships the court is authorized to waive payment of such costs.

SECTION 8. Time effective.—This act shall take effect July 1, 1964.

Approved the 24th day of April, 1964.

(R1313, H2310)

No. 1058

An Act To Repeal Section 28-342 Of The 1962 Code, Which Provides Exceptions To Open Seasons For Hunting In Chesterfield County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-342 repealed.—Section 28-342 of the 1962 Code is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1315, H2442)

No. 1059

An Act Making It Unlawful To Transport Into And To Offer For Sale Certain Agricultural Products In This State And To Provide A Penalty For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to transport certain agricultural products into state.—It shall be unlawful for any person to transport into this State for sale or to offer for sale any agricultural product of a grade or quality lower than the minimum grade or quality of the product permitted to be sold in the state of its origin.

SECTION 2. Agricultural Marketing Commission to enforce act.—The State Agricultural Marketing Commission shall be primarily responsible for the enforcement of this act and shall enforce all of its provisions, including obtaining injunctive relief where necessary.

SECTION 3. Penalties.—Any person violating the provisions of this act shall upon conviction be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1318, H2481)

No. 1060

An Act Providing For Voting Precincts For Municipal Elections In The City Of Hartsville.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Where certain electors to vote in municipal elections in City of Hartsville.—In all municipal elections held in the city of Hartsville, electors living within the corporate limits of said city, eligible to vote in Precinct No. 8, shall vote in Precinct No. 1; electors living within the corporate limits of the city, eligible to vote in the Kelly Town Precinct and Precinct No. 6, shall vote in Precinct No. 5; electors living within the corporate limits of the city, eligible to vote in Precincts Nos. 2 and 7, shall vote in Precinct No. 3; and electors living within the corporate limits of the city, eligible to vote in Precinct No. 4, shall vote in Precinct No. 4.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1325, H2568)

No. 1061

An Act To Establish A Juvenile And Domestic Relations Court And To Establish An Advisory Board With Regard To The

Children's Division For Spartanburg County, To Define Its Jurisdiction And Powers, And To Repeal Sections 15-1331 Through 15-1338 Of The 1962 Code, Relating To The Children's Court Of Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Juvenile and Domestic Relations Court established for Spartanburg County—two divisions—advisory board.—(a)

There is established for Spartanburg County a court to be called the Juvenile and Domestic Relations Court. The court shall be a court of record and shall have a seal, and the judge and clerk thereof shall have power to administer oaths and affirmations.

(b) The court shall consist of two divisions, one to be known as the Children's Division and the other to be known as the Domestic Relations Division.

(c) There shall be an Advisory Board for the Children's Division. The Advisory Board of the Children's Division shall be composed of seven members who shall be appointed by the Governor for terms of four years upon the recommendation of a majority of the Legislative Delegation of Spartanburg County. The present members of Children's Court Board shall continue to serve until the term prescribed in their present commissions expires or until their successor qualifies. The Advisory Board shall elect one of its members as chairman, one as secretary and shall hold such meetings at such times and places as the Advisory Board may determine. The duties of the board shall be to advise and to cooperate with the Children's Division of the court and its probation officers in all matters appertaining to the moral, legal, physical and spiritual welfare of all children within the county and the cities thereof.

SECTION 2. Definitions.—When used in this act, unless the context otherwise requires, (a) "Court" means the Juvenile and Domestic Relations Court of Spartanburg County; (b) "Judge" means the Judge of the Juvenile and Domestic Relations Court of Spartanburg County; (c) "Child" means a person less than sixteen years of age; and (d) "Adult" means a person sixteen years of age or older.

SECTION 3. Judge—appointment—term—acting judge—not to practice law.—(a) The Judge of the Juvenile and Domestic Relations Court of Spartanburg County shall be appointed by the Governor, upon the recommendation of a majority of the Spartanburg

Legislative Delegation. The appointment shall be certified to the Secretary of State who in turn shall issue a commission to the appointed judge.

(b) Any resident attorney at law of Spartanburg County who has been engaged in the practice of law for four years or more shall be eligible for appointment as judge of the court.

(c) The initial term of office of the judge shall be for two years, and the next and each succeeding term shall be for a period of four years. The salary of the judge shall be as provided in the annual appropriations act for Spartanburg County.

(d) In case of the absence of the judge due to illness, vacation or otherwise, a majority of the Spartanburg Legislative Delegation may appoint, in writing, an attorney of the Spartanburg County Bar, meeting the requirements and qualifications herein specified for selection as judge, to serve during such vacancy and he shall have all of the powers and duties imposed by this act upon the judge of the court. The acting judge shall receive as compensation on a per diem basis the rate of pay provided for the regular judge. In case of the death or resignation of the judge, upon the recommendation of a majority of the legislative delegation, the Governor shall appoint a successor to serve the remainder of the unexpired term.

(e) During his term of office the judge shall not engage in the practice of law.

SECTION 4. Appointment of personnel.—All appointments of personnel under the authority of this act shall be made by the judge. The judge shall employ probation officers and stenographers and clerical assistants at salaries to be approved by the legislative delegation. There shall be a stenographer-clerk who shall attend to the affairs of the office and keep it open during the regular working hours observed by other courthouse employees. There shall be sufficient probation officers who shall be persons of special training to work with children and domestic problems. They shall make investigations, including the status of probations, and perform other duties upon the direction of the judge.

SECTION 5. Duties of personnel.—Administrative and professional personnel shall be under the direct supervision of the judge, or his duly appointed supervisor, and shall be charged with the execution of all orders and assignments necessary to the execution of the provisions of this act.

SECTION 6. When court to have original jurisdiction.—(a)

Except as otherwise provided herein, the court shall have exclusive original jurisdiction and shall be the sole agency for initiating action concerning any child living or found within the county :

(1) who is neglected as to proper and necessary support or education, as required by law, or as to medical, psychiatric, psychological or other care necessary for his well-being ; or who is abandoned by his parent or other custodian.

(2) whose occupation, behavior, condition, environment or associations are such as to injure or endanger his welfare or that of others ;

(3) who is beyond the control of his parent or other custodian ;

(4) who is alleged to have violated or attempted to violate any state or local law or municipal ordinance, regardless of where the violation occurred ;

(5) whose custody is the subject of controversy except in those cases where the law now gives other courts concurrent jurisdiction ; or

(6) who, because of a mentally defective, mentally disordered or emotionally disturbed condition, is in need of treatment or commitment.

(b) Whenever the court shall have acquired the jurisdiction of any child under sixteen years of age, such jurisdiction shall continue so long as in the judgment of the court it may be necessary to retain jurisdiction for the correction or education of such child, but such jurisdiction shall terminate when the child shall attain the age of twenty-one years. Any minor, eighteen years of age or older, living or found within the county, who is alleged to have violated or attempted to violate any state or local law or municipal ordinance prior to becoming sixteen years of age, shall be dealt with under the provisions of this act relating to children.

(c) No other court, this to include magistrate's or municipal court, shall have the original power to initiate proceedings by way of warrant, summons or otherwise, except that nothing herein shall be construed as depriving the circuit court of the exclusive jurisdiction to try those cases as prescribed by the Constitution, Article V, Section 1, and concurrent jurisdiction to try those offenses defined under Article V, Section 18.

(d) Within two days after the filing of a petition in the court alleging that a child has committed the offense of murder, manslaughter-

ter, rape, attempted rape, arson, common law burglary, bribery or perjury, riot, assault and battery, or larceny, the person executing such petition may request in writing that the case be transferred to the court of general sessions with a view to proceeding against such child as a criminal, rather than as a child coming within the purview of this act. The judge is authorized to grant this request. In the event the request is denied, the petitioner shall have the right to appeal within five days to the circuit court. Upon the hearing of such appeal, the judge of the circuit court shall be vested with the discretion of exercising and asserting the jurisdiction of the court of general sessions or of relinquishing jurisdiction to the juvenile and domestic relations court. In case the circuit judge elects to exercise the jurisdiction of the general sessions court for trial of the case, he shall issue an order to that effect and thereafter the juvenile and domestic relations court shall have no further jurisdiction in the matter. *Provided*, that when jurisdiction is relinquished by the juvenile and domestic relations court in favor of another court, the juvenile and domestic relations court shall have full power and authority to grant bail and hold a preliminary hearing, and shall also have any other powers as are now provided by law for magistrates in such cases.

SECTION 7. Jurisdiction in divorce cases, etc.—The court shall have concurrent jurisdiction with the circuit court in cases of divorce, separate maintenance proceedings, annulment proceedings, proceedings to determine status of marriage, civil proceedings for the support of wife and dependent children, proceedings to terminate parent-child relationships, proceedings for judicial consent to the employment, marriage or enlistment of a minor, and proceedings to determine legitimacy of children. Included in this jurisdiction is the judicial power to grant provisional or interlocutory relief as well as final relief and the power to enforce all orders or decrees it may issue.

SECTION 8. Jurisdiction in adoption and support proceedings.—The court shall also have jurisdiction over adoption proceedings and the jurisdiction conferred on domestic relations courts by Sections 20-311 to 20-340 of the 1962 Code, known as the "Uniform Reciprocal Enforcement of Support Act."

SECTION 9. Judge may issue writs of habeas corpus.—The judge shall have the power to issue a writ of habeas corpus to produce any person under the age of sixteen years when necessary.

SECTION 10. Transfer of cases from circuit court.—If, during the pendency of a criminal or quasi-criminal charge against any minor in any other court, it shall be ascertained that the minor was under the age of sixteen years at the time of committing the alleged offense, it shall be the duty of such court to forthwith transfer the case, together with all the papers, documents and testimony connected therewith, to the juvenile and domestic relations court, except in those cases where the Constitution gives to the circuit court original jurisdiction.

The court making such transfer shall order the minor to be taken forthwith to the place of detention designated by the juvenile and domestic relations court or to that court itself, or shall release the minor to the custody of some suitable person to be brought before the court at a time designated. The court shall then proceed as provided in this act.

SECTION 11. Transfer of cases to other courts.—If a child fourteen years of age or older is charged with an offense which would be a felony or misdemeanor, if committed by an adult, and if the court, after full investigation, deems it contrary to the best interests of such child or of the public to retain jurisdiction, the court may in its discretion certify such child for proper criminal proceedings to any court which would have trial jurisdiction of such offense if committed by an adult.

SECTION 12. Preliminary investigation by court.—Whenever any person informs the court that a child is within the purview of this act, the court shall make preliminary inquiry to determine whether the interests of the public or of the child require that further action be taken. Thereupon the court may make such informal adjustment as is practicable without a petition, or may authorize a petition to be filed by any person. The petition and all subsequent court documents shall be entitled "In the Juvenile and Domestic Relations Court of Spartanburg County, In the Interest of, a child under sixteen years of age."

The petition shall be verified and may be upon information and belief. It shall set forth plainly: (1) the facts which bring the child within the purview of this act; (2) the name, age and residence of the child; (3) the names and residences of his parents, if known; or the person having custody or control of the child, or of the nearest (4) the name and residence of his legal guardian, if there be one,

known relative, if no parent or guardian can be found. If any of the facts herein required are not known by the petitioner, the petition shall so state.

Prior to the hearing of a case of any child, the judge shall cause an investigation of all the facts pertaining to the issue to be made. Such investigation shall consist of an examination of the parentage and surroundings of the child, his age, habits and history, and shall include also any inquiry into the home conditions, habits and character of his parents or guardian. In such cases the court shall also, if practicable, cause the child to be examined as to his mentality by a competent and experienced psychologist who shall make a report of his findings. Prior to the hearing of a case of any child who attends school, there shall be obtained from the school which he attends a report concerning him. The school officials shall furnish such report upon the request of the court or its probation counsellor. The court shall, when it is considered necessary, cause a complete physical examination to be made of the child by a competent physician.

SECTION 13. Service of summons.—Service of summons shall be made personally by the delivery of an attested copy thereof to the person summoned; *provided*, that if the judge is satisfied that it is impracticable to serve personally the summons or the notice provided for in this act, he may order service by registered mail addressed to the last known address, or by publication thereof, or both. The court may act upon the petition within forty-eight hours after service of summons.

Service of summons, process or notice required by this act may be made by any suitable person under the direction of the court and upon request of the court shall be made by any peace officer.

SECTION 14. Summons—further.—If any person summoned as herein provided shall without reasonable cause, fail to appear, he may be proceeded against for contempt of court. In case the summons cannot be served, or the parties served fail to obey it, or in any case when it shall be made to appear to the judge that the service will be ineffectual, or that the welfare of the child requires that he be brought forthwith into the custody of the court, a warrant may be issued for the parent, guardian or the child. The court shall have the power of subpoena.

SECTION 15. Minors—custody of—keep separate from adults.
—(a) When any child, found violating any law or ordinance, or

whose surroundings are such as to endanger his welfare, is taken into custody such taking into custody shall not be termed as arrest. The jurisdiction of the court shall attach from the time of such taking into custody. When a child is so taken into custody, such officer shall notify the parent, guardian, or custodian of the child as soon as possible. Whenever possible, unless otherwise ordered by the court, such child shall be released to the custody of his parent or other responsible adult upon the written promise, signed by such person, to bring the child to the court at a stated time or at such time as the court may direct. Such written promise, accompanied by a written report by the officer, shall be submitted to the court as soon as possible. If such person shall fail to produce the child as agreed upon or upon notice from the court, a summons or a warrant may be issued for the apprehension of such person or of the child, or both.

(b) If the child is not released as herein provided, such child shall be taken without unnecessary delay to the court or to the place of detention designated by the court, and as soon as possible thereafter the fact of such detention shall be reported to the court, accompanied by a written report by the officer taking the child into custody stating: (1) facts of the offense, and (2) the reason why the child is not released to the parent. Pending further disposition of the case the court may release such child to the custody of the parent or other person or may detain the child in such place as the court shall designate, subject to further order, but no child shall be held in detention longer than two days, excluding Sunday and holidays, unless an order for such detention is signed by the judge.

(c) Where practicable no child shall be transported in any police vehicle which also contains adults under arrest. No child shall at any time be detained in any police station, lockup, jail or prison except upon order of the judge, and when a child is placed in a jail or other place of detention for adults he shall be placed in a room or ward entirely separate from adults confined therein.

(d) Provisions regarding bail shall not be applicable to children detained in accordance with the provisions of this act.

(e) Neither the fingerprints nor a photograph shall be taken of any child taken into custody for any purpose, without the consent of the judge.

(f) Peace officers' records of children shall be kept separate from records of adults and shall not be open to public inspection.

SECTION 16. Hearings for children.—All cases of children shall be dealt with as separate hearings by the court and without a jury. The hearings shall be conducted in an informal manner and may be adjourned from time to time. Stenographic notes or other transcript of the hearings shall be required only if the court so orders, or upon request of a litigant. The general public shall be excluded and only such persons admitted as the judge shall find to have a direct interest in the case or in the work of the court. The presence of the child in court may be waived by the court at any stage of the proceedings. Hearings may be held at any time or place within the county designated by the judge.

SECTION 17. Quarters for children.—Children detained by the court shall be quartered in such private home or institution as the judge may direct.

SECTION 18. Action by court after exercising jurisdiction of child.—When a child is found by the court to come within the provisions of Section 6 of this act, the court shall so decree and in its decree shall make a finding of the facts upon which the court exercises its jurisdiction over the child. Upon such decree the court may by order duly entered proceed as follows:

(a) Place the child on probation or under supervision in his own home or in the custody of a suitable person elsewhere, upon such conditions as the court may determine. Probation shall mean case-work services during a continuance of the case. Probation shall not be ordered or administered as a punishment, but as a measure for the protection, guidance and well-being of the child and his family. Probation methods shall be directed to the discovery and correction of the basic causes of maladjustment and to the development of the child's personality and character, with the aid of the social resources of the community.

(b) Commit the child to the custody or to the guardianship of a public or private institution or agency authorized to care for children or to place them in family homes, or under the guardianship of a suitable person. Such commitment shall be for an indeterminate period but in no event shall continue beyond the child's twenty-first birthday. In committing a child to a private institution or agency the court shall select one that is approved by the State Board of Public Welfare.

(c) The court may cause the child concerning whom a petition has been filed to be examined or treated by a physician, psychiatrist or

psychologist, and for such purpose may place the child in a hospital or other suitable facility.

(d) Order such other care and treatment as the court may deem best, except as herein otherwise provided. In support of any order or decree the court may require the parents or other persons having the custody of the child, or any other person who has been found by the court to be encouraging, causing or contributing to the acts or conditions which bring the child within the purview of this act, to do or omit to do any acts required or forbidden by law, when the judge deems such requirement necessary for the welfare of the child. In case of failure to comply with such requirement, the court may proceed against such persons for contempt of court.

(e) The court may dismiss the petition or otherwise terminate its jurisdiction at any time.

No adjudication by the court of the status of any child shall be deemed a conviction, nor shall such adjudication operate to impose any of the civil disabilities ordinarily resulting from conviction, nor shall any child be found guilty or be deemed a criminal by reason of such adjudication, nor shall any child be charged with crime or convicted in any court, except as provided in Section 8 of this act. The disposition made of a child, or any evidence given in the court, shall not operate to disqualify the child in any future civil service application or appointment.

Whenever the court shall commit a child to any institution or agency it shall transmit with the order of commitment a summary of its information concerning the child, and such institution or agency shall give to the court such information concerning such child as the court may at any time require.

SECTION 19. Court may appoint guardians.—Whenever, in the course of a proceeding instituted under this act, it shall appear to the court that the welfare of a child will be promoted by the appointment of an individual as general guardian of his person and property, the court shall have jurisdiction to make such appointment, with or without a petition.

SECTION 20. Selection of guardians.—In placing a child under the guardianship or custody of an individual or a private agency or institution the court shall, whenever practicable, select a person or an agency or institution governed by persons of the same religious faith as that of the parents of such child, or in case of a difference in

the religious faith of the parents, then of the religious faith of the child, or if the religious faith of the child is not ascertainable, then the faith of either of the parents.

SECTION 21. Payment for care or support of children.—Whenever a child is committed by the court to custody other than that of his parents, or is given medical, psychological or psychiatric treatment under order of the court, and no provision is otherwise made by law for the support of such child or payment of such treatment, compensation for the care and treatment of such child, when approved by order of the court, shall be subject to whatever provision may be made (for the financing of indigents) by the county. The court may, after giving the parent a reasonable opportunity to be heard, order and decree that the parent shall pay in such manner as the court may direct such sum, within his ability to pay, as will cover in whole or in part the support and treatment of the child. If the parent shall willfully fail or refuse to pay such sum, the court may proceed against him as for contempt.

SECTION 22. Criminal jurisdiction of court.—(a) The court shall have criminal jurisdiction concurrent with other courts having such jurisdiction to try all cases involving an adult charged with the following offenses:

- (1) Bastardy;
- (2) Deserting, abandoning, or failing to provide support for wife or minor dependent unmarried children in violation of the law;
- (3) Contributing to the delinquency of a minor; and
- (4) All those offenses enumerated in Sections 20-301 and 20-302, of the 1962 Code.

(b) Upon a magistrate's issuing a warrant charging any person with commission of any of the foregoing offenses, the court shall have power to receive a plea of guilty from the person so charged if such person waives presentment or indictment by the grand jury.

(c) Upon the grand jury's presenting or indicting any person for commission of any of the foregoing offenses, the circuit solicitor may transfer the case, indictment, and all pertinent records to the court for trial or plea. Such trial shall be without a jury unless the defendant demands a trial by jury, and in that event the court shall remand the case to the circuit court.

(d) The court shall have the power to impose the penalty or sentence provided by law for such offenses.

(e) The court also shall have jurisdiction in criminal cases for the purpose of holding preliminary hearings. It shall have authority to order the magistrate or other official who has issued the warrant in any case to certify and transfer the warrant to this court when it has decided to hold a preliminary hearing in the case.

SECTION 23. Penalties for violations by adults.—Any adult who wilfully violates, neglects or refuses to obey or perform any lawful order of the court, or who violates any provision of this act, may be proceeded against for contempt of court. Any adult found in contempt of court may be punished by a fine not to exceed one thousand dollars or by imprisonment not to exceed one year, or by both such fine and imprisonment.

SECTION 24. Sessions and quarters.—Sessions of the court shall be held at such times as the court shall from time to time determine. The quarters for the hearing of cases and for the use of the judge and other employees of the court shall be such as designated by the county board of control.

SECTION 25. Fees.—In proceedings under Section 6 of this act no court fee shall be charged against and no witness fees shall be allowed to any party to a petition. No officer of the State or of any political subdivision thereof shall be entitled to receive any fee for the service of process or for attendance in court in any such proceedings. All other persons acting under orders of the court may be paid for services or service of process, and attendance or serving as witnesses, the fees provided by law for like services in cases before the circuit court, to be paid from the appropriation provided when the allowances are certified to by the judge. In cases other than those under Section 6 the court shall receive such fees and costs as are provided by law for like proceedings in the circuit court. Such fees and costs shall be remitted to the Treasurer of Spartanburg County and deposited in the General Fund.

SECTION 26. Records — not to be made public — penalties.—The court shall make and keep records of all cases brought before it and shall devise and cause to be printed such forms for social and legal records and such other papers as may be required. The court's official records shall be open to inspection only by consent of the judge to persons having a legitimate interest therein. All information obtained and social records prepared in the discharge of

official duty by an employee of the court shall be privileged and shall not be disclosed directly or indirectly to anyone other than the judge, attorney of record or others entitled under this act to receive such information, unless and until otherwise ordered by the judge. The name or picture of any child under the jurisdiction of the court shall not be made public by any newspaper or radio station except as authorized by order of the court. Any person who violates the provisions of this section shall be deemed guilty of a misdemeanor and subject to a fine of not more than one hundred dollars or imprisonment for not more than thirty days. The records in proceedings under Section 6 (a) of this act shall be filed in the office of the court. The records of all other proceedings shall be filed in the office of the Clerk of Court for Spartanburg County.

SECTION 27. Court to be assisted by other agencies.—The court is authorized to seek the cooperation of all societies or organizations, public or private, having for their object the protection or aid of delinquents or neglected children, to the end that the court may be assisted in every reasonable way to give to all such children the care, protection and assistance which will conserve the welfare of such children. It is made the duty of every city, town or municipal official or department in the county to render such assistance and cooperation within his or its jurisdictional power to further the objects of this act. All institutions, associations or other custodial agencies in which any child may be, coming within the provisions of this act, are required to give such information to the court or any of the officers appointed by it as the court or officers may require for the purpose of this act.

SECTION 28. Appeals.—Any party to a proceeding may appeal from any Order or Decree of the court to the circuit court in the manner now provided for appeal to the circuit court from other inferior courts.

The pendency of an appeal or application therefor shall not suspend the order of the juvenile and domestic relations court regarding a child nor shall it discharge the child from the custody of that court or of the person, institution or agency to whose care such child shall have been committed. If the circuit court does not dismiss the proceedings and discharge the child, it shall affirm or modify the order of the juvenile and domestic relations court and remand the child to the jurisdiction of that court for supervision and care, and thereafter the

child shall be and shall remain under the jurisdiction of the juvenile and domestic relations court in the same manner as if no appeal had been taken.

SECTION 29. When court to begin functioning.—The court as provided for in this act shall not begin to function until January 1, 1965, at which time the judge shall enter upon the performance of his duties.

SECTION 30. Saving clause.—If any clause, sentence, paragraph or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not impair, affect, or invalidate the remainder of the act but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 31. Repeal.—Sections 15-1331 through 15-1338 of the 1962 Code are hereby repealed.

SECTION 32. Time effective.—This act shall take effect January 1, 1965.

Approved the 24th day of April, 1964.

(R1326, H2571)

No. 1062

An Act To Amend Section 23-176 Of The 1962 Code, As Amended, Relating To Voting Precincts In Greenville County, So As To Change The Place Of Voting At Taylor's.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Voting at Taylor's to be at Stack Furniture Company.—Notwithstanding the provisions of Section 23-176 of the 1962 Code, as amended, voting at Taylor's shall be at Stack Furniture Company.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1327, H2592)

No. 1063

An Act To Amend Section 5-103 Of The 1962 Code, As Amended, Relating To Sunday Moving Pictures, Athletic Sports And Musical Concerts, So As To Permit Certain Activities In Counties Containing A City With A Population Of Between Sixteen Thousand And Seventeen Thousand According To The Official United States Census For 1960.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (1) of Section 5-103 amended—places where certain activities lawful on Sunday.—Subsection (1) of Section 5-103 of the 1962 Code, as amended, is further amended by striking the word “and” at the end of subitem (c) and inserting a comma; by striking the period at the end of subitem (d) and inserting the word “and”; and by adding at the end of the subsection the following :

“() counties in which there is a city with a population of between sixteen thousand and seventeen thousand according to the official United States census for 1960, except such activities shall be limited to bowling, water sports and golfing and no permit to participate in these activities shall be required.” The section when amended shall read as follows :

“Section 5-103. (1) Subject to the conditions of subsections (2) and (3) and if lawful on other days of the week, it is lawful to exhibit publicly, or to engage in, moving pictures, athletic sports and musical concerts on Sundays after two o'clock, P. M., in the following counties, towns or cities :

(a) counties in which there is a city with a population of more than forty-two thousand according to the latest official United States census,

(b) incorporated seashore resorts,

(c) cities with a population from six thousand two hundred and twenty-five to six thousand two hundred and fifty according to the official United States census for 1940,

(d) cities with a population from sixteen thousand to sixteen thousand one hundred according to the official United States census for 1940 and

() counties in which there is a city with a population of between sixteen thousand and seventeen thousand according to the official United States census for 1960, except such activities shall be

limited to bowling, water sports and golfing and no permit to participate in these activities shall be required.

(2) No moving picture, athletic sport or musical concert shall be publicly exhibited or engaged in between the hours of seven o'clock P. M., and nine o'clock, P. M., on Sundays.

(3) Before public exhibition of a moving picture, athletic sport or musical concert on Sunday in any county, town or city in which such exhibition is authorized by subsection (1), a special permit shall first be obtained from the town or city council, if the exhibition is in an incorporated town or city, or from the county board of commissioners or other governing body of the county if the exhibition is outside of an incorporated town or city.

(4) Any person who publicly exhibits moving pictures, athletic sports or musical concerts on Sunday in any county, town or city in which such exhibition is authorized by subsection (1) without first obtaining the special permit required by subsection (3), or any person who publicly exhibits motion pictures, athletic sports or musical concerts on Sunday in any county, town or city in which such exhibition is authorized by subsection (1) during any hour not authorized by this section, is guilty of a misdemeanor. Any person convicted of a violation of this subsection shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1329, H2677)

No. 1064

An Act To Amend Section 65-1523 Of The 1962 Code, Relating To The Exemption Of Specific Property From Taxation, So As To Provide For The Exemption Of Property Owned By The Grand Lodge Of Ancient Free Masons Of South Carolina.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1523 amended—property of Grand Lodge of Ancient Free Masons exempt from taxation.—Section 65-1523 of the 1962 Code is amended by adding a new item which shall read as follows:

“() Grand Lodge of Ancient Free Masons of South Carolina.—All real and personal property owned by the Grand Lodge of Ancient and Free Masons of South Carolina situated at the corner of Marion and Senate Streets in the City of Columbia shall be exempt from all local, county, school, municipal and special taxes, such exemption to any such property to cease, however, upon the transfer of the title thereto to any other person whomsoever.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1330, H2681)

No. 1065

An Act To Provide That Certain Constables In Aiken County May Serve As Jurors.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain constables in Aiken County may serve as jurors.—Any person appointed by the Sheriff of Aiken County as an unpaid special constable shall not, by virtue of such office, be disqualified from serving as a petit or grand juror.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1335, H2570)

No. 1066

An Act To Amend Sections 14-1085 And 14-1086 Of The 1962 Code, As Amended, Relating To Boards Of Rural Fire Control In Berkeley County, So As To Provide For The Establishment Of An Additional Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-1085 amended—item (6) added—additional area for board of rural fire control.—Section 14-1085 of the

1962 Code, as amended, is further amended by adding following item (5) the following:

“(6) The Goose Creek-Mount Holly area lying outside the Town of Goose Creek.” The section when amended shall read as follows: “Section 14-1085. There are established Boards of Rural Fire Control for the following areas in Berkeley County:

(1) The area outside of the town of St. Stephen encompassed within old School Districts Nos. 5 1/2, 6 and 7;

(2) The Cross area encompassed within the old School Districts Nos. 13, 14, 15 and 17;

(3) The Macedonia area encompassed within old School District No. 4;

(4) The area outside the town of Jamestown encompassed in old School District No. 3;

(5) The Caromi area bounded as follows:
Starting at intersection of U. S. Highways 176 and 17A, known as Carnes Crossroads, and extending from thence westwardly and southwestwardly along U. S. Highway 17A to its intersection with U. S. Highway I-26; thence extending southeastwardly along U. S. Highway I-26 to its intersection with State Highway 62; thence extending southwestwardly along State Highway 62 to its intersection with U. S. Highway 78; thence extending southeastwardly along U. S. Highway 78 to its intersection with Goose Creek; thence extending along the run of Goose Creek (the county line) eastwardly to a fork of the creek running generally northwardly; thence extending northwardly along the fork or an extension thereof to its intersection with U. S. Highway 176; thence extending northwestwardly along U. S. Highway 176 to its intersection with U. S. Highway 17A, the point of beginning; *provided*, that such area shall be inclusive of the area immediately adjacent to and to the west of the boundary along U. S. Highway 17A; *provided*, further, that such area shall be exclusive of Pine Vista Subdivision area;

(6) The Goose Creek-Mount Holly area lying outside the Town of Goose Creek.

Each to be composed of three members, who shall be appointed by the Governor upon the recommendation of a majority of the county legislative delegation and shall serve for terms of three years. The members of the Boards shall serve without pay. Each Board shall annually file a report with the county legislative delegation, supervisor and treasurer not later than November first of each year show-

ing all activities and disbursements made by the Board during the year.”

SECTION 2. Section 14-1086 amended—item (9) added—additional powers of Goose Creek-Mount Holly area.—Section 14-1086 of the 1962 Code, as amended, is further amended by adding at the end thereof the following:

“(9) The Board of the Goose Creek-Mount Holly area shall be authorized to enter into cooperative agreements with other rural fire control boards within or without the county.” The section when amended shall read as follows:

“Section 14-1086. Each Board shall have the following duties and responsibilities:

(1) To buy such fire-fighting equipment as the Board deems necessary for the purpose of controlling rural fires within the money allocated or made available to the Board for such purposes;

(2) To select the sites or places within the area where the fire-fighting equipment shall be kept, *provided*, that one truck shall be kept at a site to be located within the town of St. Stephen;

(3) To provide and select the drivers and other volunteer firemen to man such equipment;

(4) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of the area;

(5) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire-fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment;

(6) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area;

(7) To construct, if necessary, buildings to house the equipment authorized in this article, *provided*, the land on which any such building is constructed shall be donated to the county so long as the property is used for housing fire-fighting equipment under the supervision of the Board;

(8) The board of the Caromi area shall be authorized to enter into cooperative agreements with other rural fire control boards within or without the county;

(9) The Board of the Goose Creek-Mount Holly area shall be authorized to enter into cooperative agreements with other rural fire control boards within or without the county.”

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1339, H2587)

No. 1067

An Act To Specify The Procedure For Effecting An Adverse Claim Upon A Bank Deposit When Such Claim Is Not Based Upon A Fiduciary Relationship Nor Upon An Order Or Judgment Of A Court Of Competent Jurisdiction.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Procedure for effecting adverse claims upon bank deposits.—Notice to any bank or trust company doing business in this State of an adverse claim to a deposit standing on its books to the credit of any person shall not be effectual to cause the bank or trust company to recognize the adverse claimant unless: (1) the claimant first procures a restraining order, injunction or other appropriate process against the bank or trust company from a court of competent jurisdiction wherein the person to whose credit the deposit stands is made a party; or (2) the claimant first executes and delivers to the bank or trust company, in form and with sureties acceptable to it, a bond, indemnifying the bank or trust company from all liability, loss, damage, costs and expenses, resulting from the payment of the adverse claim or the dishonor of any check or other order of the person to whose credit the deposit stands on the books of the bank or trust company. *Provided*, that this act shall not apply in any instance where the person to whose credit the deposit stands is a fiduciary for such adverse claimant, and the facts constituting such relationship as also the facts showing reasonable cause of belief on the part of the claimant that the fiduciary is about to misappropriate the deposit, are made to appear by the affidavit of the claimant.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1344, H2723)

No. 1068

An Act To Amend Section 47-371.5 Of The 1962 Code, Relating To Aldermen Of The City Of Easley In Pickens County, So As To Name The City To Which The Section Shall Apply; To Increase The Terms Of Aldermen To Four Years; And To Authorize The City Of Easley To Alter By Ordinance The Boundaries And Number Of Wards In The City.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-371.5 amended—election of aldermen for City of Easley.—Section 47-371.5 of the 1962 Code is amended by striking it out and inserting the following:

“Section 47-371.5. The City Council of the City of Easley may require by ordinance that all aldermen in the city shall be residents of the ward they are to represent and shall be elected by the qualified electors of the city at large. The terms of the aldermen shall be for four years and until their successors are appointed and qualify. The city council may by ordinance alter the boundaries designating wards within the corporate limits of the City of Easley and increase or decrease the number of wards but the number of wards shall not be less than six.”

SECTION 2. Terms of aldermen to be elected in 1965.—At the municipal election held in the City of Easley in Pickens County in 1965, three aldermen shall be elected to serve for terms of two years and three aldermen shall be elected to serve for terms of four years. The terms of these aldermen shall be determined at least sixty days prior to the municipal election by the city council. Thereafter their successors shall be elected to serve for four-year terms as provided in Section 47-371.5 of the 1962 Code.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1345, H2728)

No. 1069

An Act To Amend Section 27-76 Of The 1962 Code, Relating To Fees Of The Register Of Mesne Conveyances In Charleston County, So As To Further Provide For Certain Fees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 27-76 amended—fees of register of mesne conveyances in Charleston County.—Section 27-76 of the 1962 Code is amended on line 15 by inserting between the words “after” and “the” “or simultaneously with” and by striking “twenty-five cents” and inserting “one dollar”, on line 16 by striking “fifty cents” and inserting “one dollar”, and on lines 17 and 18 by striking legal-cap-size page or fraction thereof, and all other plats are one dollar for the first four corners and ten cents for each additional corner” and inserting “the first one hundred seventy-six square inches and one dollar for each additional one hundred square inches or fraction thereof”. The section when amended shall read as follows:

“Section 27-76. The charges and fees for recording instruments in the office of the register of mesne conveyances for Charleston County shall be in amounts as follows, (a) for deeds, real estate mortgages, leases, contracts, agreements, powers of attorney, bonds for title, mechanics’ and materialmen’s liens, real estate attachments, any instruments concerning real estate and any other instruments entitled to recordation not herein specifically provided for, including chattel mortgages and other instruments whereby the holder retains or claims an interest in personal property, with or without notes, to secure a principal debt of more than one hundred dollars, one dollar for the first legal-cap-size page, or fraction thereof, and twenty-five cents for each additional page, or fraction thereof, required to complete recording; (b) for chattel mortgages securing a principal debt of one hundred dollars or less, fifty cents; (c) for assignments, cancellations, dowers and other matters pertaining to any of the instruments above named, recorded after or simultaneously with the original recordation, one dollar; (d) for a cancellation with affidavits, one dollar; (e) for plats, one dollar for the first one hundred seventy-six square inches and one dollar for each additional one hundred square inches or fraction thereof; (f) for charters, two dollars; and (g) for homestead proceedings, seven and one-half dollars. Any page above referred to, having writing, stamps or other written matter to be recorded on both sides, shall be counted and charged as two pages. If any document offered for record contains more than ten pages, each additional ten pages or portion thereof shall be considered a separate document for the purpose of fixing the recording fees herein provided for.”

SECTION 2. Time effective.—This act shall take effect on July 1, 1964.

Approved the 24th day of April, 1964.

(R1348, S762)

No. 1070

An Act To Amend Act 310 Of 1963, Relating To The Anderson Water Authority, So As To Change The Name Of The Authority To The Anderson County Water Authority; To Define The Service Area Of The Authority, To Empower It To Purchase Water And To Delete The Authority's Authority To Create Water Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 310 of 1963 amended—Anderson County Water Authority created.—Section 1 of Act 310 of 1963 is amended by adding on line 3 between the word “Anderson” and “Water” the word “County” and by adding between the word “empower” and “to” on line 8 the words “to purchase water from Duke Power Company or any other person with water available for sale and”. The section when amended shall read as follows:

“Section 1. There is hereby created a body corporate and politic to be known as the Anderson County Water Authority, hereinafter sometimes referred to as the ‘Authority.’ It shall be the function of the Authority to acquire supplies of fresh water, capable of being used for industrial and domestic purposes, and to distribute such water, in the manner herein provided, for industrial and domestic use within its service area. To that end, it shall be empowered to purchase water from Duke Power Company or any other person with water available for sale and to purchase or to construct such reservoirs, diversion dams, impounding dams or dikes, canals, conduits, aqueducts, tunnels, water distribution facilities, water mains and water lines, as in the opinion of the Authority may be deemed necessary, and to acquire such land, rights-of-way, easements, machinery, apparatus, and equipment as shall be deemed useful therefor.”

SECTION 2. Section 3 of Act 310 of 1963 amended—not to compete with municipalities.—Section 3 of Act 310 of 1963 is amended by striking beginning on line 7 the words “following portion of An-

derson County, which is hereby defined to be the service area of the Authority” and inserting the words “service area of the Authority, which is hereby defined to be all of that portion of Anderson County which is not included in a municipality or water district”. The section when amended shall read as follows:

“Section 3. To the end that the Authority shall not unduly compete with the existing publicly operated water systems in the county, the Authority shall not sell water to be used by persons or private corporations within the corporate limits of such municipalities or areas now served by municipalities without the consent of the municipal officers of such municipalities, nor shall it sell water elsewhere than in the service area of the Authority, which is hereby defined to be all of that portion of Anderson County which is not included in a municipality or water district.”

SECTION 3. Section 4 of Act 310 of 1963 amended—powers.—
Section 4 of Act 310 of 1963 is amended by adding after item (8) the following:

“() To purchase water from Duke Power Company or any other persons with water available for sale.” The section when amended shall read as follows:

“Section 4. The Authority shall be fully empowered to purchase, acquire, construct, operate, maintain, improve and extend facilities which would enable it to obtain fresh water in large volume, and to distribute and sell the same, subject to the limitations set forth in Section 3, to persons, firms, corporations, municipal corporations, political divisions, and the United States Government, or any agencies thereof, at any point within its service area. To that end, the Authority shall have the following powers:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for its meetings.
- (5) To establish a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To purchase, build, construct, maintain and operate canals, aqueducts, ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and water reservoirs.
- (8) To impound fresh water in lakes or reservoirs.

(9) To purchase water from Duke Power Company or any other persons with water available for sale.

(10) To purchase, build, construct, maintain and operate water distribution systems for the distribution of water for domestic or industrial use and from time to time enlarge and extend the same.

(11) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful to discharge the functions committed to the Authority by this act.

(12) To accept gifts or grants of services, properties or moneys from the United States, or any of its agencies, under such conditions as the United States, or such agency shall prescribe.

(13) Subject to the provisions of Section 3, to sell water for industrial or domestic use.

(14) To prescribe rates and regulations under which water shall be sold for domestic and industrial use.

(15) Subject to the provisions of Section 3, to enter into contracts for the sale of water, upon such terms as the parties thereto shall approve, with persons, private corporations, municipal corporations, public bodies, public agencies and with the United States Government or any agencies thereof.

(16) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its canals, aqueducts, reservoirs or distribution systems.

(17) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the Authority.

(18) To lease or sell and convey lands, or interests therein.

(19) To make use of county and state highway rights-of-way in which to lay pipes and lines, in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(20) Subject always to the limitations of Section 4, Article VIII of the Constitution, to make use of the streets and public ways of any incorporated municipality for the purpose of laying pipes and lines.

(21) To alter and change county and state highways wherever necessary in order that it may discharge the functions committed to it, in such manner and under such conditions as the appropriate officials in charge of such highways shall approve.

(22) To acquire, by purchase, gift, or through the exercise of eminent domain, all properties, land, interests therein, easements,

rights-of-way which the Authority shall deem necessary to enable it to fully and adequately discharge all functions committed to it. The power herein granted shall be deemed to include the power to acquire protective areas of land adjacent to any of its facilities.

(23) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Article 2, Chapter 3, Title 33, Code of Laws of South Carolina, 1962, the procedure for the exercise of eminent domain by the State Highway Department, or the procedure prescribed by Chapter 3, Title 25, Code of Laws of South Carolina, 1962, as such statutes are now constituted or as they may afterwards be constituted following any amendments thereto.

(24) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation, and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(25) To make contracts for construction, engineering, legal and other services, with or without competitive bidding.

(26) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its facilities. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the facilities, and any extension, addition, and improvement thereto including engineering costs, construction costs, the sum needed to pay interest during the period prior to which the facilities, or any extension, addition or improvement thereto shall be fully in operation and self-liquidating, such sum as is needed to supply working capital to place the facilities in operation, and all other expenses of any sort that the Authority may incur in establishing, extending and enlarging the facilities. Neither the members of the Authority nor any person signing the obligation shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the Authority shall be fully empowered to avail itself of all power granted by Article 6, Chapter 4, Title 59, and by Chapter 6, Title 59, Code of Laws of South Carolina, 1962, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the power conferred upon the Authority by such Code provisions, the

Authority may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the Authority may:

(a) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event, the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(b) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the facilities, in accordance with and in the order of priority prescribed by the resolutions adopted by the Authority as an incident to the issuance of any notes, bonds or other types of securities.

(c) Declare that such obligations and the interest thereon shall be exempt from all state, county, municipal, school district, and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise. This provision shall be deemed a part of the contract, inuring to the benefit of all holders or beneficiaries of its securities.

(d) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve.

(e) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the Authority shall approve.

(f) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount.

(g) Limit or prohibit free service to any person, firm, corporation, municipal corporation, or any subdivision or division of the State.

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(i) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared

due before maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

(27) To do all other acts and things necessary or convenient to carry out any function or power committed or granted to the Authority."

SECTION 4. Repeal.—Section 12 of Act 310 of 1963 is repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1964.

(R1349, S778)

No. 1071

An Act To Amend Sections 43-694 And 43-695 Of The 1962 Code, Relating To Magistrates' Reports In Chesterfield County, So As To Include In The Report A Record Of Compromised Cases And Other Information, To Provide That A Copy Of The Report Be Sent To The Clerk Of Court, To Provide For A Fee In Certain Compromised Cases, To Prohibit Magistrates From Making Excessive Charges And To Provide For The Removal Of The Magistrate In Certain Cases.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 43-694 amended—reports—remit funds.—Section 43-694 of the 1962 Code is amended by striking beginning with the word "his" on line 3 and ending with the word "treasurer" on line 4 and inserting in lieu thereof "a complete report from his magistrate docket for such month and an affidavit signed by him before a person authorized to administer oaths listing all fees charged or collected by him during such month for all civil or criminal cases in his court. Such report shall be filed with the governing body of the county and a copy with the clerk of court and the county treasurer." The section when amended shall read as follows:

"Section 43-694. No later than twenty days after the end of each calendar month each magistrate of the county shall file a complete report from his magistrate docket for such month and an affidavit signed by him before a person authorized to administer oaths listing all fees charged or collected by him during such month for all civil or criminal cases in his court. Such report shall be filed with the gov-

erning body of the county and a copy with the clerk of court and the county treasurer. At the time of the filing of such report, the magistrate shall remit to the county treasurer all funds due to the county for the month for which the report is made."

SECTION 2. Section 43-695 amended—failure to report or to remit.—Section 43-695 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 43-695. Upon the failure of any magistrate of the county to make and file his complete report and affidavit on or before the twentieth day following the close of any calendar month or to remit to the county treasurer all funds due to the county on or before such date, without good legal cause, such magistrate shall be immediately removed from office by the Governor and he shall forfeit all fees or salary. The governing body of the county, the clerk of court and the county treasurer shall report to the Governor any failure to file such reports and/or affidavits and/or to make remittances as required by Section 43-694."

SECTION 3. Unauthorized acts.—Any magistrate in Chesterfield County who makes any charges or collects any fees, fines, or charges or collects any money or compensation whatsoever in any civil or criminal case which are not officially authorized by law shall immediately be removed from office by the Governor and forfeit all fees and salary.

SECTION 4. Records in criminal cases.—All magistrates in Chesterfield County shall keep and record in his magistrate docket a complete record of all criminal cases. The record shall include the date of issuance and the date of service of all warrants in all criminal cases, the status thereof or the manner and date of the disposition of such cases and when imposed, the fine or sentence imposed. The record shall also include all fines and/or magistrate fees charged and/or collected in all criminal cases, matters, or proceedings. The record shall also include a list of all warrants which are withdrawn and all fees, charged and/or collected in all such cases, as provided by Section 5 herein.

SECTION 5. Fee when criminal cases comprised.—The magistrates' courts of Chesterfield County shall charge a fee of five dollars in criminal cases where a compromise has been reached. The fee shall be deposited in the general fund of the county.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R1355, S892)

No. 1072

An Act To Amend Section 15-285 Of The 1962 Code, As Amended By Act No. 904 Of 1964, Relating To The Terms Of Court In The Thirteenth Judicial Circuit, So As To Further Provide For The Terms In Greenville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Subsection (a), Item (1) of Section 15-285 amended—terms of court for Greenville County.—Subsection (a) of Item (1) of Section 15-285 of the 1962 Code, as amended by Act No. 904 of 1964, is further amended by striking the word “said” on line 9 and inserting “the” and by striking the word “third” on line 12 and inserting the word “last” so that, when so amended, subsection (a) shall read:

“(1) Greenville County.—(a) The court of common pleas for Greenville County shall be held at Greenville on the fourth Monday in January for three weeks, on the fourth Monday in March with two weeks for jury trials and one week for equity cases, on the third Monday in May for two weeks, the third Monday in June for two weeks, the second Monday in September for two weeks, the second Monday in October for two weeks and the second Monday in November with two weeks for jury trials and one week for equity cases. The court of general sessions for the county shall be held at Greenville on the second Monday in January for two weeks, the second Monday in March for two weeks, the first Monday in May for two weeks, the last Monday in August for two weeks, the fourth Monday in October for two weeks and the first Monday in December for one week.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R1356, S901)

No. 1073

An Act to Increase The Criminal and Civil Jurisdiction of Magistrates In Oconee County; To Provide For Magisterial Districts; And To Specify The Territorial Jurisdiction Of Each Magistrate In The County, And To Provide For Their Nomination.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jurisdiction of magistrates in Oconee County.—The criminal jurisdiction of magistrates in Oconee County shall extend to cases where the punishment does not exceed a fine of two hundred dollars or imprisonment for thirty days; and the civil jurisdiction of magistrates of the county shall extend to cases where the value of the property in controversy, or the amount claimed, does not exceed two hundred dollars.

SECTION 2. Magisterial Districts.—Oconee County shall be divided into five magisterial districts, which districts shall embrace the same territory as the districts of the county commissioners, as described in Section 14-3016 of the Code of Laws of South Carolina, 1962, and the magistrates shall be nominated by the qualified electors of the same precincts as those specified for the election of the county commissioners, as provided in the section.

The territorial jurisdiction of each magistrate shall be confined to the district in which he resides, except that the magistrate who resides in District No. 3 shall have countywide criminal and civil jurisdiction. However, in the event that any magistrate is absent from his district in excess of five days, a magistrate of an adjacent district may take jurisdiction of such criminal and civil cases as may be referred to him, and such additional jurisdiction shall cease upon the return of the regular magistrate to his district.

The provisions of this section shall not become effective until the primary election of 1966.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R1358, H2130)

No. 1074

An Act Adding Sections 65-9, 65-266, And 65-398.1 To The 1962 Code, So As To Eliminate The Necessity Of Notarizing Certain Returns Or Reports Filed With The South Carolina Tax Commission, To Provide For Disallowance Of Double Deductions As Pertains To Estate Taxes And Income Taxes, And To Provide Penalties For Divulging Information In Connection With The South Carolina Withholding Tax; To Amend Sections 65-225, 65-258, 65-279.9, 65-286, 65-294 And 65-311 Of The 1962 Code, All Of Which Relate To Taxation, So As To Allow The Option Of Filing A Joint Return After An Original Return Has Been Filed, To Provide For Adjusted Gross Income For Fiduciaries, To Correct A Typographical Error, To Provide That The Taxpayer's Option For Reporting Income On An Installment Basis Must Be Filed On The Timely Filed Returns, To Provide For The Execution Of Corporate Returns, And To Eliminate Fiduciaries From Filing Declarations And From The Payment Of Estimated Taxes; To Amend Sections 65-223, 65-223.1, 65-259, 65-275, 65-341, 65-453, 65-455, 65-465, 65-481, 65-547 And 65-1404 Of The 1962 Code, As Amended, All Of Which Relate To Taxation, So As To Provide For The Taxation Of Income Of Estates Or Trusts Which Has Not Become Distributable, To Adopt Amendments And Applicable Regulations As Of December 31, 1962, Relating To Federal Internal Revenue Code Sections Adopted By Reference In Certain Code Sections, To Provide For A Minimum Tax With Respect To Corporations Electing To Make Payment Of Their Taxes In Installments, And To Provide That A Certain Affidavit Be Filed With The Sales Tax Return And That The Penalty For A Falsified Affidavit Be Assessed Against The Purchaser Or The Seller; To Amend Section 14.1 Of Act No. 847 Of 1962, Relating To Reports To Be Filed By Business Corporations, So As To Provide For The Elimination Of Duplicate Reporting Of Certain Information; To Amend Act No. 822 Of 1962, Relating To The Payment Of Interest On Taxes, So As To Provide That Interest Be Paid With Respect To All Items Of Taxes, License Fees, Penalties And Interest Recovered Through Litigation; To Amend Act No. 197 Of 1963, Which Authorizes Payment Of Certain Income Tax Refunds To A Surviving Spouse, So As To Further Provide Therefor; And To Amend Section 65-565 Of The 1962 Code, Relating To Transfers Of Assets Of Estates, So As To Permit Withdrawals By The Spouse Of A Deceased Joint Depositor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-9 added—not necessary to notarize certain reports or returns.—Section 65-9 is added to the 1962 Code, which shall read as follows:

“Section 65-9. It shall not be necessary that any return or report made to the South Carolina Tax Commission pursuant to the provisions of Title 65 be executed before a notary public.”

This section shall be effective with respect to returns filed after June 30, 1964.

SECTION 2. Section 65-266 added—certain deductions not allowable.—Section 65-266 is added to the 1962 Code, which shall read as follows:

“Section 65-266. Amounts allowable under Section 65-455 as a deduction in computing the taxable estate of a decedent shall not be allowed as a deduction in computing the taxable income of the estate, unless there is filed, within the time and in the manner and form prescribed by the Tax Commission, a statement that the amounts have not been allowed as deductions under Section 65-455 and a waiver of the right to have such amounts allowed at any time as deductions under Section 65-455. This section shall apply only to items that are deductible for both estate tax and income tax purposes under the Code provisions.”

This section shall be effective for the taxable years beginning on or after January 1, 1964.

SECTION 3. Section 65-398.1 added—penalties for divulging information.—Section 65-398.1 is added to the 1962 Code, which shall read as follows:

“Section 65-398.1. Except in accordance with the proper judicial order or as otherwise provided by law, it shall be unlawful for the members of the Commission or any deputy, agent, clerk or other officer or employee thereof to divulge or make known in any manner the amount of withholding of income or any particulars set forth or disclosed in any report or return required under this chapter. Nothing in this section shall be construed to prevent the publication of statistics so classified as to prevent the identification of particular reports or returns in the items thereof or the inspection by the Attorney General or other legal representative of the State of the report or the return of any taxpayer who shall bring action to set aside or review the tax based thereon or against whom an action or pro-

ceeding has been instituted to recover any tax or any penalty imposed by this chapter. Reports and returns shall be preserved for five years and thereafter until the Commission orders them to be destroyed.

Any person violating the provisions of this section shall, upon conviction, be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding one year, or both, at the discretion of the court, and if the offender is an officer or an employee of the State he shall be dismissed from office and be disqualified from holding any public office in this State for a period of five years thereafter."

This section shall take effect upon approval by the Governor.

SECTION 4. Item (2) of Section 65-225 amended—filing of returns by married couples.—Item (2) of Section 65-225 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"(2) In the case of a married couple living together, a personal exemption of eight hundred dollars for each spouse. Husband and wife living together may at their option file separate or joint returns. This option may be changed at any time within the period of the statute of limitations provided an amended return is filed and signed by both husband and wife. A married person, living with husband or wife, filing a separate return may claim eight hundred dollars personal exemption of the other spouse if that spouse has no gross income and is not the dependent of another person."

This section shall be effective with respect to taxable periods beginning on or after January 1, 1964.

SECTION 5. Section 65-258 amended—adjusted gross income defined.—Section 65-258 of the 1962 Code is amended by adding the words "or fiduciaries" after the word "individual" on line two. The section when amended shall read as follows:

"Section 65-258. For purposes of this chapter, the term 'adjusted gross income' means, in the case of an individual or fiduciary, gross income minus:

(1) Expenses attributable to a trade or business carried on by a taxpayer, except when the trade or business is the performance of services as an employee;

(2) Travel expenses incurred by the taxpayer in performing services as an employee if the amount reimbursed is included in gross income;

- (3) Expenses attributable to rents and royalties;
- (4) Expenses incurred in the sale or exchange of property other than capital assets as defined in this chapter;
- (5) Losses arising from the sale or exchange of property other than capital assets as defined in this chapter;
- (6) One-half of gains and losses arising from the sale or exchange of capital assets, as defined in this chapter, after allowance for expenses relating to such sale or exchange; and
- (7) (a) Any amount received by an employee from an employees' trust exempt from taxation under Section 65-226 (9), to the extent that such amount does not exceed the employee's contributions to the trust and
(b) One-half of all amounts received by an employee, in excess of his own contributions thereto, from an employees' profit sharing trust exempt from taxation under Section 65-226 (9), where such amounts are received within one taxable year of the employee on account of the employee's disability, death or separation from service, and where such amounts constitute the total of all amounts which the employee is entitled to receive from the trust.

The deductions allowed by Section 65-259, as amended, in computing net income shall be deducted from adjusted gross income, but nothing in this section shall permit the same item to be deducted more than once."

This section shall be effective with respect to taxable years beginning on or after January 1, 1964.

SECTION 6. Section 65-279.9 amended—method elected not to be changed.—Section 65-279.9 of the 1962 Code is amended by striking on line one "Section 65-279.3 to 65-279.6" and inserting in lieu thereof "Section 65-279.3 through Section 65-279.8". The section when amended shall read as follows:

"Section 65-279.9. An election by the taxpayer under Section 65-279.3 through Section 65-279.8, must be adhered to unless and until written permission has been obtained from the Commission to make a change. The method used by the taxpayer in his first return under the provisions of this article shall constitute an election."

This section shall be effective with respect to taxable years beginning on or after January 1, 1964.

SECTION 7. Subsection (1) of Section 65-286 amended—when section applicable.—Subsection (1) of Section 65-286 of the 1962 Code is amended by adding at the end thereof the following:

“This section shall be applicable only if the election by the taxpayer is claimed in a timely filed return.” The subsection, when amended, shall read as follows:

“(1) A taxpayer who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of installment payments actually received in that year which the gross profit, realized or to be realized when payment is completed, bears to the total contract price. This section shall be applicable only if the election by the taxpayer is claimed in a timely filed return.”

This section shall be effective with respect to taxable years beginning on or after January 1, 1964.

SECTION 8. Section 65-294 amended—execution of corporate return.—Section 65-294 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 65-294. The return of a corporation shall be signed by an officer of the corporation duly authorized to make the report on behalf of the corporation.”

This section shall be effective with respect to taxable years beginning on or after January 1, 1964.

SECTION 9. Section 65-311 amended — when declaration required.—Section 65-311 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 65-311. Every individual, except those subject to withholding under Section 65-379(3), shall, at the time prescribed in Section 65-315, make a declaration of his estimated tax for the taxable year if his gross income from sources other than wages, as defined in Section 65-371, can reasonably be expected to exceed eight hundred dollars for the taxable year.”

This section shall take effect for the taxable years beginning on or after January 1, 1964.

SECTION 10. Section 65-223 amended—tax on fiduciaries.—Section 65-223 of the 1962 Code, as amended, is further amended by adding at the end of item (a) the words “or has not become distributable;” and by adding at the end of the section the following: “Income accumulated for the benefit of an organization as defined by Section 65-259 (10) shall be excluded from taxation under this chapter.” The section when amended shall read as follows:

"Section 65-223. A tax is imposed upon resident fiduciaries, and upon nonresident fiduciaries transacting, conducting, doing business or having an income within the jurisdiction of this State. The terms transacting, conducting, doing business or having an income as used in this section shall include engaging in or the transacting of any activity in this State for the purpose of financial profit or gain. The tax shall be computed at the same rates set forth in Section 65-221 and shall be levied, collected and paid by the fiduciary annually with respect to:

(a) That part of the net income of estates or trusts which has not been distributed or has not become distributable;

(b) That part of the net income derived from real property in this State or tangible personal property having an actual situs in this State which has been distributed or becomes distributable to a nonresident beneficiary;

(c) The net income received during the income year by deceased individuals who at the time of death were residents and who have died during the tax year or income year without having made a return; and

(d) The entire net income of resident insolvent or incompetent individuals, whether or not any portion thereof is held for the future use of the beneficiaries, when the fiduciary has complete charge of such net income.

The tax imposed upon a fiduciary by this chapter shall be a charge against the estate or trust.

Income accumulated for the benefit of an organization as defined by Section 65-259 (10) shall be excluded from taxation under this chapter."

This section shall be effective for the taxable years beginning on or after January 1, 1964.

SECTION 11. Date in certain sections changed from 1962 to 1963.—Sections 65-223.1, 65-259(8), 65-275, 65-453, 65-455, 65-465, 65-481 and 65-547 of the 1962 Code, as amended, are further amended by striking the date "1962" in each of these sections, and inserting in lieu thereof the date "1963".

This section shall be effective for taxable years beginning on or after January 1, 1964.

SECTION 12. Section 65-341 amended—payment of taxes.—Section 65-341 of the 1962 Code, as amended, is further amended

by striking the third paragraph, as shown in the 1962 Code, and inserting in lieu thereof the following:

"If the taxpayer so elects, the tax shown due on the face of a corporation return when more than one hundred dollars, may be paid in four equal installments, in which case the first installment shall be paid on the date prescribed by law for the payment of the tax by the taxpayer, the second installment shall be paid on the fifteenth day of the third month, the third installment shall be paid on the fifteenth day of the sixth month, and the fourth installment shall be paid on the fifteenth day of the ninth month after such date." The section when amended shall read as follows:

"Section 65-341. The full amount of the tax payable as shown on the face of the return shall be paid to the Commission at the office where the return is filed, at the time fixed by law for filing the return.

If the taxpayer so elects, the tax shown due on the face of a corporation return when more than one hundred dollars, may be paid in four equal installments, in which case the first installment shall be paid on the date prescribed by law for the payment of the tax by the taxpayer, the second installment shall be paid on the fifteenth day of the third month, the third installment shall be paid on the fifteenth day of the sixth month, and the fourth installment shall be paid on the fifteenth day of the ninth month after such date.

If any installment is not paid on or before the date fixed for its payment, the entire amount of unpaid tax, together with interest and penalties shall become due and payable. If the taxpayer is granted an extension of time in which to file the income tax return, interest on deferred payments shall in no instance exceed six per cent per annum on such deferred payments from the time the return was due to be filed until the payments due thereunder are paid within the limits of time so extended.

This section shall not apply to individuals or fiduciaries.

The provisions of this section shall not apply to the payment of additional taxes assessed by the Commission, and such additional taxes shall be paid as otherwise required by law."

This section shall be effective with respect to taxable periods beginning on or after January 1, 1964.

SECTION 13. Section 65-1404 amended—sales tax exemptions for motor vehicles and trailers sold to certain nonresidents.—The item added to Section 65-1404 of the 1962 Code by Act No. 180 of

1963, is amended by striking it out and inserting in lieu thereof the following:

“() The gross proceeds of sales of motor vehicles, trailers, semi-trailers and pole trailers of a type required to be registered and licensed sold to nonresidents for immediate transportation to and use in another state; *provided*, the purchaser shall furnish an affidavit to the seller who shall furnish a copy thereof to the South Carolina Tax Commission as to the state in which such vehicle will be registered and operated and the street, city and state address of the purchaser; *provided*, further, in order for the seller to claim the exemption, the affidavit must be filed with the sales and use tax return for the month in which the sale is made and the return must be filed within the period provided by statute; *provided*, further, that in addition to all other penalties and fines provided by law, any person who falsifies or conspires to falsify such affidavit or any seller who fails to furnish the Tax Commission with a copy of such affidavit in the manner prescribed above, shall be subject, in addition to the tax on such transaction, to a penalty to be assessed and collected by the South Carolina Tax Commission in the manner provided in this chapter in an amount not to exceed one thousand dollars and shall be guilty of a misdemeanor and upon conviction shall be fined not more than one thousand dollars or be imprisoned for not more than one year or both in the discretion of the court.”

This section shall take effect upon approval by the Governor.

SECTION 14. Section 14.1 of Act 847 of 1962 amended—reports to be filed by business corporations.—Section 14.1 of Act No. 847 of 1962 is amended by adding at the end thereof the following paragraph:

“The report required to be submitted in accordance with this section shall be submitted as required with respect to the calendar year 1964. Thereafter, provided the report required to be submitted in accordance with Sections 65-601 through 65-616 is properly submitted, the report required by this section shall not be required. The fee required to be paid when the report is submitted, shall not be required to be paid when the report, by virtue of this paragraph, is not filed. Notwithstanding any other provision of law the information required to be in the report shall be required in the report submitted to the Tax Commission under Sections 65-601 through 65-616 and when such information is submitted to the Tax Commission, the Tax Com-

mission shall forthwith furnish such information to the Secretary of State.”

This section shall be effective January 1, 1964.

SECTION 15. Section 1 of Act 822 of 1962 amended—payment of interest.—Section 1 of Act No. 822 of 1962 is amended by striking it out and inserting in lieu thereof the following:

“Section 1. With respect to taxes and license fees administered by the South Carolina Tax Commission, whenever any amount of taxes, license fees, penalties and interest are recovered by successful litigation in the courts of this State, such amounts recovered shall bear interest at the rate of one-half of one per cent per month from the date such taxes, license fees, penalties and interest were paid to the date the order for refund or credit was issued, and such interest shall be paid in the same manner and receive the same preference as the amounts recovered.”

This section shall be effective with respect to amounts recovered on or after January 1, 1964.

SECTION 16. Section 1 of Act 197 of 1963 amended—refunds to a surviving spouse.—Section 1 of Act No. 197 of 1963 is amended by striking it out and inserting in lieu thereof the following:

“Section 1. Whenever an overpayment of federal or state income tax is determined to exist and the person to whom the overpayment is due to be paid is deceased at the time such overpayment of tax is to be refunded, and irrespective of whether the deceased had filed income tax returns separately or jointly with the surviving spouse, the amount of such overpayment, if not in excess of three hundred fifty dollars, shall be the sole and separate property of the decedent's surviving spouse, if any, and the refund of the overpayment by the United States or by a State of the United States directly to the surviving spouse shall operate as a complete acquittal and discharge to it of liability from any suit, claim or demand of whatsoever nature by any heir, distributee, creditor of the decedent or any other person.”

This section shall be effective with respect to amounts refunded on or after January 1, 1964.

SECTION 16 A. Section 65-565 amended — withdrawals by spouse of a deceased joint depositor.—Section 65-565 of the 1962 Code is amended by adding at the end the following: “*Provided*, the spouse of a deceased joint depositor may withdraw up to three hundred and fifty dollars from any joint account. Any amount so with-

drawn shall be included in the gross estate of the deceased if otherwise includable therein, as provided by law."

SECTION 17. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R1375, S904)

No. 1075

An Act To Amend Section 47-323.5 Of The 1962 Code, Relating To The Election Of The Mayor And Councilmen For The Town Of Woodruff In Spartanburg County, So As To Further Provide For Their Terms.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-323.5 amended—election of mayor and councilmen for Town of Woodruff.—Section 47-323.5 is amended by adding at the end the following: "The mayor and councilmen shall serve for terms of four years. *Provided*, the councilmen elected from Wards 2, 4 and 6 at the next election shall be elected for two years." When so amended, the section shall read as follows:

"Section 47-323.5. The town of Woodruff shall have a mayor, who shall be elected by the qualified electors for the town at large, and six councilmen, who shall be elected by the qualified electors for the town at large. One councilman shall be elected from each of the six wards. The mayor and councilmen shall serve for terms of four years. *Provided*, the councilmen elected from Wards 2, 4 and 6 at the next election shall be elected for two years."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R1378, H2349)

No. 1076

An Act To Provide Judge Of Probate Fees For Sumter County And To Repeal Act No. 968 Of 1962.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Judge of probate fees for Sumter County.—Notwithstanding the provisions of Section 27-304 of the 1962 Code, or any other provisions of law, the following fees and costs shall be charged by the Judge of Probate of Sumter County. The fee for any service not included in this section shall be the same as provided by general law.

For a marriage license	\$ 3.00
For a certified copy of marriage license	1.00
For proving a will in due form of law	6.00
For certified photostatic copies of wills and other legal documents, for each page50
For taking, receiving and filing an annual return of an administration, executor, guardian or trustee (first two pages)	3.00
For each additional page50
For hearing and filing a petition and order, and recording it	3.00
For petition and order for the appointment of a guardian ad litem for each minor or incompetent	3.00
For appointment of guardian	7.00
For appointment of committee	12.00
For exemplification	6.00
For recording bond	2.00
For a hearing or reference in any litigated case, for each day	15.00
For certifying to any paper on file in his office, for each certificate25
For hearing a petition to sell real estate in aid of assets ..	4.00
For proceedings in dower and in setting off homestead ..	4.00
For selling each lot or tract of land	3.00
For each deed or mortgage executed or made by him	5.00
For each witness examined pursuant to hearings50
For receiving and paying over money officially, 2% on the first \$400.00, and 1 1/2% on all money over \$400.00
For issuing temporary letters of administration	17.50
For an estate in which the judge of probate acts as administrator pursuant to provisions of law	7.50
For an ordinary intestacy or administration c.t.a., if the estate does not exceed \$40,000.00	35.00

If the estate exceeds \$40,000.00	50.00
If the estate does not exceed \$1,000.00	17.50

This fee shall include:

Advertising as required by law	
Petition for letters of administration	
Filing administration bond	
Letters of administration	
Inventory and appraisement	
Description of real estate	
Filing of petition for discharge	
Eight certificates	
Filing and recording final return	
Letters dismissory	
For an estate in which a will is included and where the executor serves, if the estate does not exceed \$40,- 000.00	30.00
If the estate exceeds \$40,000.00	50.00
If the estate does not exceed \$1,000.00	15.00

This fee shall include:

Advertising as required by law	
Petition to prove will	
Filing and recording of will	
Letters testamentary	
Inventory appraisement	
Description of real estate	
Eight certificates	
Petition for final discharge	
Filing and recording final return	
Letters dismissory	
Four certified copies of will which are prepared by the estate	

All such fees and costs shall be collected by the judge of probate in advance, and shall be paid monthly by him to the county treasurer for credit to the ordinary funds of the county in such manner as may be provided by law.

SECTION 2. Estates filed prior to January 1, 1963.—If an estate was filed prior to January 1, 1963, the fee shall be \$11.50 and shall include advertising as required by law, petition and order for final discharge, and filing of final return not to exceed two pages.

SECTION 3. Repeal.—Act No. 968 of 1962 is repealed.

SECTION 4. Time effective.—This act shall take effect July 1, 1964.

Approved the 25th day of May, 1964.

(R1384, H2731)

No. 1077

An Act To Add Section 15-1119 To The 1962 Code To Provide For The Salary Of The Judge Of The Domestic Relations Court Of The County Of Charleston.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Salary of judge.—The judge of the Domestic Relations Court of the County of Charleston shall receive a salary of not less than two-thirds of the salary paid to each circuit judge in the preceding year. His salary shall not be diminished during his term of office.

SECTION 2. Time effective.—This act shall take effect July 1, 1964.

Approved the 25th day of May, 1964.

PART II**Local and Temporary**

(R1310, H2192)

No. 1078

A Joint Resolution Proposing An Amendment To Section 24 Of Article IV Of The Constitution Of This State, Relating To State Officers, So As To Remove The Superintendent Of Education From The List Of State Officers Provided For By The Constitution And Proposing An Amendment To Section 1 Of Article XI Of The Constitution Of This State Relating To The Office Of State Superintendent Of Education So As To Provide For His Appointment And Prescribe His Term.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article IV, Section 24, State Constitution, proposed—removal of Superintendent of Education from elected officials.—It is hereby proposed that Section 24 of Article IV of the Constitution of this State shall be amended to read as follows:

“Section 24. There shall be elected by the qualified voters of the State a Secretary of State, a Comptroller General, an Attorney General, a Treasurer and an Adjutant and Inspector General, who shall hold their respective offices for the term of four years, and until their several successors have been chosen and qualified; and whose duties and compensation shall be prescribed by law. The compensation of such officers shall be neither increased or diminished during the period for which they shall have been elected.”

SECTION 1 (a). Certain members of board not eligible to be superintendent.—No member or former member of the State Board of Education shall be eligible for appointment as State Superintendent of Education until at least two (2) years after termination of his service on the Board.

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: “Shall Section 24 of Article IV of the Constitution of this State be

amended so as to remove the Superintendent of Education from the list of Constitutional State Officers?

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment,' and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment.' "

SECTION 3. Amendment to Article XI, Section 1, State Constitution, proposed—Superintendent of Education to be appointed.

—It is hereby proposed that Section 1 of Article XI of the Constitution of this State shall be amended to read as follows:

"Section 1. The State Superintendent of Education shall be appointed by a majority vote of the members of the State Board of Education; his term, powers, duties and compensation shall be fixed by the General Assembly.

No member or former member of the State Board of Education shall be eligible for appointment as State Superintendent of Education until at least two (2) years after termination of his service on the Board.

Prior to being re-appointed for a consecutive term, the Superintendent of Education shall run against his record in the General Election just prior to the end of his term. In the event the Superintendent of Education fails to receive a favorable majority vote, he shall not be eligible to be re-appointed for a consecutive term."

SECTION 4. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 1 of Article XI of the Constitution of this State be amended so as to provide for the appointment of the State Superintendent of Education by a majority vote of the members of the State Board of Education, and that his term of office prescribed by the General Assembly?

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the

amendment,' and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment.' "

Ratified the 21st day of April, 1964.

(R1207, H2300)

No. 1079

A Joint Resolution Proposing An Amendment To Section 19 Of Article V Of The Constitution Of This State, Relating To Courts Of Probate, So As To Provide That Jurisdiction In Matters Testamentary And Of Administration, In Matters Appertaining To Minors And To Persons Mentally Incompetent, Shall Be Vested As The General Assembly May Provide.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article V, Section 19, State Constitution, proposed—courts of probate—jurisdiction in matters testamentary and of administration.—There is proposed the following amendment to Section 19 of Article V of the Constitution of this State: strike the section in its entirety and insert the following:

"Section 19. Jurisdiction in matters testamentary and of administration, in matters appertaining to minors and to persons mentally incompetent, shall be vested as the General Assembly may provide; and until such provision such jurisdiction shall remain as now provided by law."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 19 of Article V of the Constitution of this State be amended so as to provide jurisdiction in matters testamentary and of administration, in matters appertaining to minors and to persons mentally incompetent, shall be vested as the General Assembly may provide?"

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the

amendment', and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'".

Ratified the 17th day of April, 1964.

(R798, S595)

No. 1080

A Joint Resolution To Create The Governor's Inter-Agency Study Council In Order To Carry Out The Planning And Related Activities Concerning Combatting Mental Retardation Provided For By Public Law 88-156 (Title 17), And To Provide For The Appointment Of The Members Of The Council.

Whereas, the Congress of the United States has by Public Law 88-156 (Title 17) authorized the awarding of grants to the States and other designated jurisdictions to assist them in planning comprehensive State and community action to combat mental retardation; and Whereas, one of the conditions precedent to eligibility for a state to receive assistance under this program is the designation of a single state agency as the sole agency for carrying out the planning and related activities for which the Congress has authorized grant support. Now therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Governor's Inter-Agency Study Council on Mental Retardation Planning created.—There is hereby created the Governor's Inter-Agency Study Council on Mental Retardation Planning. The committee shall consist of such number of members as the Governor may consider appropriate in order to meet the requirements of the committee. The members shall serve for a period of two years and until their successors are appointed and shall qualify. Any member of the committee who represents an agency of the State or any political subdivision thereof shall serve ex officio.

SECTION 2. Duties.—The duties of the committee shall consist of accepting and disbursing funds in accordance with Public Law 88-156 (Title 17), and it shall be vested with all appropriate powers necessary to implement the terms and purposes of this public law.

SECTION 3. Officers—meetings—compensation.—The committee shall meet as soon as practicable after appointment and shall elect

one of its members as chairman and such other officers as the committee may deem necessary. Thereafter, the committee shall meet on the call of the chairman or a majority of the members. The members of the committee shall receive no salary but, while in the performance of the duties for which appointed, shall be entitled to such per diem, subsistence and mileage as is authorized by law for members of commissions, committees and boards.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R1245, S759)

No. 1081

A Joint Resolution Creating The Policy Planning And Coordination Commission And Providing For Its Membership, Powers And Duties.

Whereas, social, economic and industrial development in the United States as a whole and in South Carolina in particular, has created new problems in the world of government and business, new responsibilities in the field of education, research, and new challenges and opportunities for the general advancement and development of our society, culture and general welfare; and

Whereas, solving the problems presented, meeting the challenges, and taking advantage of the opportunities often requires:

(1) Careful study looking toward long range solutions over periods of years rather than attempting a series of immediate, expedient answers to pressing problems as they arise;

(2) Effective coordination and utilization of the facilities and resources of business, government and education;

(3) Concrete recommendations looking toward the most efficient and economical use of the combined skill, energy and resources of our body politic; and

Whereas, the General Assembly believes that a nonpartisan committee is best suited to consider long range policies of our State, to make recommendations to the Governor and General Assembly and to recommend cooperation and coordinated action by government, private business and institutions of higher learning. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Policy Planning and Coordination Commission created.—There is hereby created a commission to be known as the Policy Planning and Coordination Commission to be composed of three members; one to be appointed by the Governor, one by the Lieutenant Governor, and one by the Speaker of the House of Representatives to serve at the pleasure of the respective appointive officers, or until the commission is discharged by the Legislature.

The commission may name its own chairman, and any ex officio members, or assistants of its choice.

The expenses of the commission shall not exceed the sum of one thousand dollars (\$1,000.00) per annum, and such expenses shall be paid out of the civil contingent fund of the Budget and Control Board.

SECTION 2. Powers and duties.—The commission shall have the following duties and responsibilities:

(1) To consider and make recommendations on matters of policy deemed important to the future development of our State, to include such matters as may be referred to the commission by the Governor, General Assembly or the State Budget and Control Board;

(2) To consider and make recommendations in its discretion on such matters as may be referred by State agencies, private businesses or industries, educational institutions or private citizens; and

(3) To make an annual report to the Governor and the General Assembly.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

A Joint Resolution To Continue The Work Of The Joint Committee Appointed Pursuant To Act No. 373 Of 1955 And Continued By Acts Nos. 931 Of 1956, 452 Of 1957, 986 Of 1958, 328 Of 1959, 895 Of 1960, 445 Of 1961, 998 Of 1962, And 412 Of 1963, To Study The Forestry Problems Of The State.

Whereas, a joint committee was appointed pursuant to Act No. 373 of 1955 to study the forest fire problems of the State; and

Whereas, the committee was continued by Acts Nos. 931 of 1956, 452 of 1957, 986 of 1958, 328 of 1959, 895 of 1960, 445 of 1961, 998 of 1962, and 412 of 1963; and

Whereas, the committee has not completed its work due to the many complex and innumerable problems involved; and

Whereas, the forestry industry and woods products have an annual value of many millions of dollars and are second only to the textile industry in economic importance to South Carolina. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Committee to study forestry problems continued.

—The committee appointed pursuant to Act No. 373 of 1955 and continued by Acts Nos. 931 of 1956, 452 of 1957, 986 of 1958, 328 of 1959, 895 of 1960, 445 of 1961, 998 of 1962, and 412 of 1963, to study the forestry problems of this State shall be continued and the committee shall report its findings at the session of the General Assembly of 1965. Members of the committee shall receive subsistence, per diem and mileage as provided by law for members of State boards, commissions and committees.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1063, S726)

No. 1083

A Joint Resolution To Continue The Committee Appointed Pursuant To S-34 Of 1963 To Make A Study Of The Retirement Systems Of Law Enforcement Personnel And Officers Of This State And Continued Pursuant To S-426 Of 1963 For The Purpose Of Making A Study Of The South Carolina Retirement System.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Committee to study retirement systems continued.—The committee created pursuant to S-34 of 1963 to make

a study of the Retirement Systems of Law Enforcement Personnel and Officers of this State and continued pursuant to S-426 of 1963 for the purpose of making a study of the South Carolina Retirement System is continued for the purpose of making a complete study and review of the South Carolina Retirement System and the South Carolina Police Officers' Retirement System.

The committee shall report its findings and recommendations to the 1965 Session of the General Assembly.

SECTION 2. Appropriation.—There is hereby appropriated from the general fund of the State the sum of two thousand five hundred dollars, if so much be necessary, to pay the expenses of the committee.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1088, S621)

No. 1084

A Joint Resolution To Continue The Committee Created Under H-2706 Of 1962 To Study The Establishment Of A State-wide Program To Control Juvenile Delinquency, And To Make Appropriations Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Committee to study juvenile delinquency continued.—The committee created under H-2706 of 1962, to study the establishment of a statewide program to control juvenile delinquency, is hereby continued.

The committee shall report its findings and recommendations at the beginning of the 1965 session of the General Assembly.

SECTION 2. Appropriation.—There is hereby appropriated from the General Fund of the State the sum of one thousand dollars, if so much be necessary, to pay the expenses of the committee.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1089, S764)

No. 1085**A Joint Resolution To Continue The Work Of The Committee Appointed Pursuant To Senate Resolution 279 Of 1961, And Continued By Act No. 414 Of 1963, To Study The Insurance Laws Of This State.**

Whereas, a joint committee was appointed pursuant to Senate Resolution 279 of 1961, and continued by Act No. 414 of 1963, to study the insurance laws of this State; and

Whereas, the committee has not completed its work due to the many complex and innumerable problems involved. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Committee to study insurance laws continued.—

The committee created by the General Assembly in 1961, pursuant to Senate Resolution 279 of 1961, and continued by Act No. 414 of 1963, to study the insurance laws of this State, shall continue to make such study and report its findings and recommendations to the General Assembly as soon after the convening of the 1965 session as is practicable.

SECTION 2. Appropriation.—The sum of fifteen hundred dollars, or so much thereof as may be necessary, is hereby appropriated from the general funds of the State to cover the expenses of the committee in making its study and preparing its report. Members of the committee shall receive a per diem of ten dollars and the travel allowance allowed to other persons engaged in the business of the State when performing the exercise of their duties as members of the committee. All warrants drawn upon the appropriation made in this section shall bear the signature of the committee chairman.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R728, S524)

No. 1086**A Joint Resolution To Extend The Time For Making A Report To The General Assembly On The Uniform Commerical Code To 1965.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Time extended for reporting on Uniform Commercial Code.—The time for making a full report to the General Assembly on the proposed Uniform Commercial Code is extended so that the report shall be made to the General Assembly not later than ten days after the convening of the session of 1965. The sum of two thousand five hundred dollars is hereby appropriated from the General Fund of the State for subsistence, mileage and per diem of the members of the committee, which shall be paid upon vouchers signed by the chairman.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R1281, S848)

No. 1087

A Joint Resolution Extending The Shad Season On The Savannah River For The Year 1964.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Shad season on Savannah River.—The season for the catching of shad on the Savannah River is extended to May 15, 1964.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1328, H2603)

No. 1088

A Joint Resolution Extending The Shad Season In The Edisto River Above The Forty-Mile Limit Until Midnight, May 15, 1964, For Noncommercial Purposes; To Provide For The Open Season For The Catching Of Shad In Winyah Bay In Georgetown County And In The Great Pee Dee, Waccamaw And Little Pee Dee Rivers In Florence, Marlboro, Chesterfield And Horry Counties;

And To Further Provide For The Catching Of Shad In The Savannah River.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Shad season—portion of Edisto River.—Notwithstanding any other provision of law to the contrary, the shad season in the Edisto River above the forty-mile limit is extended until midnight, May 15, 1964, for noncommercial purposes.

SECTION 2. Winyah Bay in Georgetown County.—The open season for the catching of shad in the waters of Winyah Bay in Georgetown County shall be from the first day of February to the thirty-first day of March of each year.

SECTION 3. Great Pee Dee, Waccamaw and Little Pee Dee Rivers.—The open season for the catching of shad in the waters of the Great Pee Dee, Waccamaw and Little Pee Dee Rivers in Florence, Marlboro, Chesterfield and Horry Counties shall be from the first day of February to the twenty-fifth day of May of each year.

SECTION 4. Certain portion of Savannah River.—The open season for the catching of shad in the waters of the Savannah River above the forty-mile limit is extended to May 15, 1964.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1035, S715)

No. 1089**An Act To Authorize Retirement Compensation For Certain Constitutional Officers Of The State Of South Carolina.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain constitutional officers may receive retirement compensation.—Any constitutional officer of this State who is not now receiving retirement compensation from the State and who has at least sixteen years of public service shall be entitled to and shall receive retirement compensation for the remainder of his life; *provided*, he is at least seventy-two years of age.

SECTION 2. Rate.—The compensation authorized in Section 1 shall be at the rate of two hundred dollars per month, and shall be paid from the general fund of the State.

SECTION 3. When payments to commence.—Payments hereunder shall commence on the first day of the month following the effective date of this act, which shall not be construed as providing for retroactive compensation.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1964.

(R912, S638)

No. 1090

A Joint Resolution Directing The State Treasurer To Transfer Certain Funds Appropriated For The Study Of Law Enforcement Retirement Systems And The South Carolina Retirement System.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. State Treasurer to transfer certain funds.—The State Treasurer is directed to transfer three thousand one hundred thirty dollars and ninety-two cents from the account of the Committee to Study the Retirement System of Peace Officers under the Statutes Establishing the Police Insurance and Annuity Fund, as appropriated in Act 369 of the Acts of 1955, to the Committee to Make a Study of the Retirement Systems of Law Enforcement Personnel and Officers of This State for the Purpose of Making a Study of the South Carolina Retirement System.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R948, H2121)

No. 1091**An Act To Designate The State Budget And Control Board As The State Commission Under The Requirements Of The Federal Higher Education Facilities Act Of 1963.**

Whereas, the Congress of the United States, by enactment of the Higher Education Facilities Act of 1963 has made federal funds available to the states for improvement of public and private colleges; and

Whereas, in the administration of the act, it is required that each state designate or establish a State Commission, broadly representative of the public and of institutions of higher education (including junior colleges and technical institutes) in the State, through which certain applications for funds shall be channeled; and

Whereas, the General Assembly believes that the ex officio constituency of the State Budget and Control Board, each member being elected, meets the representative character of the state commission required by the federal act. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Budget and Control Board to administer federal Higher Education Facilities Act of 1963.—The State Budget and Control Board is hereby designated as the State Commission for such administrative or other purposes required under the federal Higher Education Facilities Act of 1963.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R1129, H2434)

No. 1092

An Act To Amend Act No. 904 Of The General Assembly Of 1960 Granting To The Board Of Trustees Of The University Of South Carolina The Right To Acquire And Finance Additional Student And Faculty Housing Facilities By Increasing The Authorization For Such Purposes From Five Million Dollars To Eight Million Dollars.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—It is found and determined as follows:

By Act No. 904 of 1960, the General Assembly did, among other things, authorize the Board of Trustees of the University of South Carolina, hereinafter referred to as the Board of Trustees, to acquire further student and faculty housing facilities to the extent of five million dollars, and to finance the cost thereof, did authorize the Board of Trustees to raise such sum through the issuance of revenue bonds, payable from the entire revenues derived from all student and faculty housing facilities, in addition to those then outstanding, in the principal amount of five million dollars.

The Board of Trustees has utilized such authorization to the extent of two million eight hundred thirty thousand dollars, leaving two million one hundred seventy thousand dollars of bonds which might be issued.

All bonds so issued are subject to the reserved right of the Board of Trustees to issue additional bonds payable from such revenues, (under certain earnings and other limitations) to such extent as the General Assembly had or might afterwards authorize.

The rapid growth of the student body at the University of South Carolina indicates that housing facilities will be required in addition to those which can be constructed within the remaining authorization to issue bonds. The Board of Trustees has estimated that three million dollars, in addition to the two million one hundred seventy thousand dollars, which can now be raised, will be required if student housing facilities are to be made available to those who will attend the University in the next few years, and on that basis has requested that Act No. 904 of 1960 be so amended as to permit the issuance of an additional three million dollars of bonds, payable from the revenues of student and faculty housing facilities.

The General Assembly has determined to grant the request of the Board of Trustees, and as a means of accomplishing it has determined to change the maximum authorization for further student and faculty housing facility revenue bonds from the five million dollar limitation set forth in Section 1 of Act No. 904 to an eight million dollar limitation. Such action requires the rewriting of Section 1 of Act No. 904.

SECTION 2. Section 1 of Act 904 amended—University of S. C. may borrow money for housing facilities.—Section 1 of Act No. 904 is amended by striking it out and inserting in lieu thereof the following:

"Section 1. The Board of Trustees of the University of South Carolina shall be empowered to acquire further student and faculty housing facilities to the extent of eight million dollars pursuant to the authorizations of this act. To that end, the Board of Trustees shall be permitted to borrow, from time to time, not exceeding in the aggregate, eight million dollars, and such further sum as the Board of Trustees may determine to borrow for the purpose of refunding all or any part of the outstanding revenue bonds of the University of South Carolina, payable from the entire revenues derived from all student and faculty housing facilities which it does now, or shall hereafter possess. So much of the proceeds of the loans herein authorized as shall not be required to retire outstanding bonds shall be used in the construction, reconstruction and equipping of dormitories or apartment buildings to be located on lands now or hereafter acquired by the University of South Carolina, and, to the extent necessary, to the defraying of the cost of the acquisition of land as a site for this use. Such dormitories or apartment buildings shall be used for the purpose of providing housing for students and faculty of the University of South Carolina."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1303, H2517)

No. 1093

An Act To Authorize The University Of South Carolina To Expend For Permanent Improvements Certain Funds Received For The Granting Of A Right-Of-Way.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. University of S. C. may spend certain money.—The University of South Carolina is hereby authorized to expend the sum of six thousand four hundred thirty-five dollars received from the State Highway Department for the granting of a right-of-way through certain of its properties in Richland County for the construction of Interstate Highway I-20 for such permanent im-

provement projects as may be approved by the State Budget and Control Board.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R750, H2021)

No. 1094

An Act To Authorize The State Budget And Control Board To Lend To Clemson Agricultural College Of South Carolina An Additional Sum Of One Hundred Sixty Thousand Dollars For The Construction Of A Sewage Treatment Plant.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Clemson may borrow money for sewage treatment plant.—The State Budget and Control Board is hereby authorized to lend the sum of one hundred sixty thousand dollars to Clemson Agricultural College of South Carolina under such terms and conditions as may be agreed upon between the Budget and Control Board and the college. The funds derived from this loan shall be used by Clemson Agricultural College for the construction of a sewage treatment plant made necessary by the construction of Hartwell Dam, and shall be in addition to the sum authorized by Act No. 1010 of 1962 for the same purpose.

SECTION 2. Payment.—The claim by Clemson Agricultural College against the United States Government for the cost, including construction and design, of the sewage treatment plant referred to in Section 1 of this act, is hereby pledged toward payment of the loan authorized herein. In addition to the funds received from the Federal Government for the claim referred to herein, there is also pledged for the repayment of the loan such portion of the tax imposed under provisions of Section 65-901 of the Code of 1962 that has not been pledged prior to the effective date of this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R834, H1958)

No. 1095

An Act To Authorize The Issuance Of State Notes In The Amount Of Not Exceeding One Million Five Hundred Thousand Dollars For The Purpose Of Providing Additional Facilities For The Medical College Of South Carolina; To Prescribe The Conditions Under Which The Notes May Be Issued; To Provide For The Expenditure Of The Proceeds; To Provide For Payment Of The Notes; And To Provide For Certificates By The State Auditor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Section 9 of Part II of Act No. 284 of the Acts of the General Assembly for the year 1963 it authorized the acquisition by The Medical College of South Carolina (the Medical College) of certain properties in the City of Charleston from Porter Academy, in order that the Medical College might enlarge its teaching and related facilities in such manner as to provide teaching facilities for additional students in its medical and nursing schools, and in order that it might establish a school of dentistry. With the proceeds of moneys raised in the manner authorized by Section 9 of Part II of Act No. 284 the properties have been acquired and are now available for use.

By Public Law 88-129, enacted by the Congress of the United States and approved by the President on September 24, 1963, moneys for grants to assist in the construction of new teaching facilities for the training of physicians, nurses and dentists will become available. The Medical College is eligible for Federal assistance pursuant to Public Law 88-129, but in order to make application therefor, must establish that certain sums are available to it from State or other sources. It has now been determined that the Medical College should increase its facilities for students in its existing schools of medicine and nursing and for its authorized, but yet to be established, school of dentistry. In order to accomplish these results, the General Assembly has determined to make available to the Medical College the sum of not exceeding one million five hundred thousand dollars in order that with such funds, and with such further funds as may be obtained through the authorizations of Public Law 88-129, the Medical College may be able to provide additional teaching and related facilities for the training of physicians, nurses and dentists.

In order to provide a method for raising moneys, the General Assembly has determined to empower the Governor and State Treas-

urer to issue notes of the State to the extent of not exceeding one million five hundred thousand dollars, the proceeds to be made available to the Board of Trustees of the Medical College for the purposes above set forth.

SECTION 2. Medical College may construct additional facilities.—The General Assembly authorizes the Medical College to construct teaching and related facilities on properties owned by it in the City of Charleston for the purpose of providing additional teaching and related facilities for the training of physicians and nurses and for the purpose of providing teaching and related facilities for a school of dentistry. The facilities shall be constructed with the proceeds of moneys made available to the Medical College by the provisions of this act, funds granted to the Medical College pursuant to Public Law 88-129 and any other sources available to the Medical College.

SECTION 3. Notes may be issued.—In order to provide funds to the extent of not exceeding one million five hundred thousand dollars for the purposes above set forth, the Governor and the State Treasurer, having first obtained the approval of the State Budget and Control Board, expressed by proper resolution, shall be empowered to issue notes of the State to the extent of not exceeding one million five hundred thousand dollars. The notes shall mature in fifteen successive and in substantially equal (to the nearest five thousand dollars) annual instalments, each maturing on anniversaries of the date the notes bear. The notes may, at the discretion of the State Budget and Control Board, be made subject to redemption prior to their stated maturities on such occasions and under such conditions as the State Budget and Control Board shall prescribe. The notes shall bear interest, payable annually or semi-annually, at such rate or rates as the State Budget and Control Board may prescribe.

SECTION 4. Execution.—All notes issued under this act shall be signed by the Governor and the State Treasurer. The Great Seal of the State shall be affixed to or reproduced upon each of them, and each shall be attested by the Secretary of State. The delivery of the notes, so executed and authenticated, shall be valid notwithstanding any changes in officers or seal occurring after such execution or authentication. The notes shall be in such form as the State Budget and Control Board shall prescribe, and may be issued as a single fully registered note.

SECTION 5. Exempt from taxes.—The principal and interest on the notes, issued pursuant to this act, shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 6. Payment.—For the payment of the principal and interest on the notes, issued pursuant to this act, there shall be pledged so much thereof as may be needed of the revenue derived from the tax imposed pursuant to Article 1, Chapter 12, Title 65, of the 1962 Code. Until payment of the principal and interest has been made or has been provided for, all sums received in each fiscal year from the tax referred to above shall be delivered to the State Treasurer and shall be applied by him to the payment of the principal and interest on the notes authorized by this act, and to the debt servicing of other outstanding obligations of the State also secured by a pledge of such revenues. Thereafter, further revenues from this tax for the fiscal year may be used for other purposes. The General Assembly takes note of the fact that there are presently outstanding obligations of the State of South Carolina payable from this tax, as well as others authorized, but not yet issued, pursuant to Section 9 of Part II of Act No. 284 of the Acts of 1963, and it is hereby declared that the notes authorized by this act shall in all respects be on a parity with the obligations above referred to. The pledge of revenues derived from the tax above referred to shall not preclude the issuance by the State of further obligations secured, in whole or in part, by a pledge of such revenues on a parity with the pledge herein authorized, nor shall the pledge of revenue derived from this tax preclude the revision of the tax as to rate or method, unless the effect of such action would reduce the revenues to be derived annually from the tax as thus revised to less than one hundred and twenty-five per cent of that sum which is equal to the maximum annual principal and interest requirements on all notes or obligations of the State for which revenues derived from the tax have been pledged.

SECTION 7. State Auditor to estimate tax revenue.—The State Auditor shall annually, or upon request, certify to the State Budget and Control Board his estimate of the revenue to be derived from the tax mentioned in this act, and whether or not it will be less than one hundred twenty-five per cent of that sum which is equal to the maximum annual principal and interest required on all notes and obligations for which this tax has been pledged.

SECTION 8. Proceeds.—The proceeds derived from the sale of the notes authorized by this act shall be deposited with the State Treas-

urer and shall be expended by the Board of Trustees of the Medical College for the purposes prescribed in this act.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R1064, S733)

No. 1096

An Act To Authorize The State Board Of Education To Construct New Facilities At The Denmark Branch Of The South Carolina Area Trade Schools And To Defray The Cost By The Issuance Of Not Exceeding Ninety Thousand Dollars Of General Obligation Bonds; To Prescribe The Conditions Under Which The Bonds May Be Issued; And To Make Provision For The Payment Of The Principal And Interest.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that the buildings at the Denmark Branch of the South Carolina Area Trade Schools are in need of general repairs and this branch particularly is in need of a new workshop. The General Assembly has therefore determined to authorize the State Board of Education to construct a new workshop at the Denmark Branch and to provide for the payment thereof.

SECTION 2. State Board of Education may issue bonds for Denmark Area Trade School.—The State Board of Education is authorized to issue and sell obligation bonds of the State in an amount not to exceed ninety thousand dollars to defray the cost of constructing a new workshop at the Denmark Branch of the South Carolina Area Trade Schools. Any necessary part of this sum may be used to defray the cost of planning the construction and other incidental expenses. *Provided*, that no bonds shall be issued pursuant to the provisions of this act unless they be issued as bonds on a parity with any other bonds of the Denmark Branch now outstanding and which are payable from revenues derived from student tuition fees.

SECTION 3. Terms and conditions of issue.—The bonds shall be issued either as a single issue or from time to time in several separate

issues. Each issue of bonds shall mature serially in successive annual installments of such amounts as may be determined by the Board. The maturity date of the last installment of the series shall not be later than twenty years from date. The bonds may contain a provision permitting their redemption prior to their stated maturities at premium figures. They shall bear such rates of interest as the Board may determine, payable annually or semiannually. They shall bear such dates and be payable at such places as the Board may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the State Treasurer and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Board may prescribe.

SECTION 4. Execution.—The bonds shall be executed in the name of the State by the Chairman of the Board and shall be countersigned by the State Treasurer under such seal as the Board shall designate. The coupons appertaining to such bonds need not be authenticated otherwise than by the facsimile signatures of the chairman and the treasurer lithographed or engraved thereon.

SECTION 5. Sale.—The bonds shall be sold by the Board at not less than par and accrued interest to date of delivery at public sale. The form, manner and occasion of the advertisement will be determined by the Board.

SECTION 6. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the State Treasurer in a special fund, separate and distinct from all other funds. The proceeds shall be applied solely for the purposes for which the bonds are issued, except that accrued interest and premium shall be deposited in the account established by the treasurer for the payment of the principal and interest. The funds shall be expended upon warrants signed by the Chairman of the Board.

SECTION 7. Exempt from taxes.—The principal and interest on the bonds issued pursuant to this act shall have the tax exempt status prescribed in Section 65-4.1 of the Code of Laws of South Carolina, 1962.

SECTION 8. Payment.—The bonds shall be payable from the entire revenues derived by the Denmark Branch of the South Carolina Area Trade Schools from all student tuition fees, and such revenues

shall be pledged to the payment of principal and interest to the bonds in a manner herein provided.

SECTION 9. Credit of State not to be pledged.—The faith and credit of the State of South Carolina shall not be pledged for the payment of the principal and interest for these bonds, there shall be on the face of each bond a statement plainly worded to that effect. Neither the members of the State Board of Education nor any person signing the bonds shall be liable therefor.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R800, H1805)

No. 1097

An Act To Amend Act No. 1002 Of 1962, Relating To Certain Authorities Granted To The State Board Of Corrections, So As To Extend The Time For The Repayment Of A Loan From The Division Of Sinking Funds And Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 1002 of 1962 amended—Board of Corrections may borrow money—payment.—Section 3 of Act No. 1002 of 1962 is amended by striking the word “two” on line 6 and inserting the word “five” so that, when so amended, the section shall read:

“Section 3. In order to meet certain maturing obligations for machinery purchased, and to provide additional needed working capital for the industries operated at the Penitentiary, the Board of Corrections is authorized to borrow from the State’s Sinking Funds, upon approval of the State Budget and Control Board, the sum of \$200,000.00; the sum to be repaid in not exceeding five years, and to pledge for the repayment of the same the net revenues of the said industries. The Board is further authorized to use any available revenue received from the sale of gravel for the same purpose.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R1296, H2122)

No. 1098**An Act To Authorize The John G. Richards Industrial School To Expend Certain Funds For Permanent Improvements.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. John G. Richards Industrial School may spend certain money.—The John G. Richards Industrial School is hereby authorized to expend the sum of three thousand five hundred dollars, received from the sale of a gas line right-of-way, for such permanent improvements as may be approved by the State Budget and Control Board.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1159, H2629)

No. 1099**An Act To Amend Item 4, Section 9, Part II Of Act No. 284 Of 1963, Which Authorizes The Construction Of An Infirmary And Dormitory At Pineland, A State Training School And Hospital, So As To Authorize Additional Construction At Pineland.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item 4, Section 9, Part II, of Act 284 of 1963 amended—infirmary and dormitory may be constructed at Pineland.—Item 4, Section 9, Part II of Act No. 284 of 1963 is amended by adding at the end thereof the following: "In the event any matching funds for such construction are made available by the federal government, additional permanent improvements, as may be approved by the State Budget and Control Board, may be constructed at the Pineland facility with any of such funds which are not needed for constructing and equipping the infirmary and dormitory." The item when amended shall read as follows:

"4. An infirmary and a dormitory, estimated to cost an aggregate of \$600,000.00, are found to be needed for Pineland, a Training School and Hospital for the mentally ill under 16 years of age, operated under the direction of the South Carolina Mental Health Com-

mission. The General Assembly authorizes the South Carolina Mental Health Commission to construct and equip an infirmary and a dormitory on the site of the Pineland facility, at a cost of not exceeding \$600,000.00. In the event any matching funds for such construction are made available by the federal government, additional permanent improvements, as may be approved by the State Budget and Control Board, may be constructed at the Pineland facility with any of such funds which are not needed for constructing and equipping the infirmary and dormitory.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1204, H1985)

No. 1100

An Act To Authorize The Issuance Of Notes Or Bonds For Mental Health Facilities; To Prescribe The Conditions Under Which They May Be Issued; To Provide For Investments In Such Notes Or Bonds; And To Provide For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Request for funds for mental health facilities.—The South Carolina Mental Health Commission, hereafter called the “commission,” or the Board of Trustees for Whitten Village, hereafter called the “trustees,” may make application to the State Budget and Control Board, hereafter called the “board,” for funds to be used for any of the following purposes:

(a) To construct, reconstruct, maintain, improve, furnish and re-furnish the buildings or other permanent improvements for institutions under the control of the commission or trustees;

(b) To defray the cost of acquiring or improving lands needed as sites for such improvements; and

(c) To reimburse the commission or trustees for expenses incurred in anticipation of issuance of notes or bonds.

The application shall contain the following:

(1) A description of the improvement sought or the amount of outstanding notes or bonds it wishes to have refunded;

(2) An estimated cost or an estimated amount of money required to effect the refund;

(3) The number of paying patients, the amount of fees received from such patients during the preceding twelve months; and the estimated amount to be received from such patients for the next twelve-month period;

(4) A suggested maturity schedule for notes or bonds issued pursuant to this act; and

(5) A statement showing the unmatured notes or bonds heretofore issued by the commission or trustees.

SECTION 2. Board to make findings.—The board may approve, in whole or in part, or modify any application by the commission or trustees and may direct the application of the principal proceeds of any notes or bonds issued pursuant to this act for such purpose as it shall have found:

(1) That a definite and immediate need exists or, in the event that the issuance of refunding notes or bonds is sought, that it is to the advantage of the commission or trustees to effect the refunding of its outstanding notes or bonds; and

(2) That the fees collected from paying patients, if multiplied by the number of years for which the notes or bonds approved by this act shall be outstanding, result in the production of a sum equal to not less than one hundred twenty-five per cent of the estimated aggregate principal and interest requirements of all notes or bonds issued for the commission or trustees to be outstanding if such application be approved.

SECTION 3. Request for issuance of bonds.—Upon making the findings required of it by Section 2, the board shall transmit to the Governor and to the State Treasurer a request for the issuance of bonds. Such request shall set forth:

(1) The name of the institution, the amount of its application, and the annual principal and interest required on all outstanding notes or bonds;

(2) A statement that the board has made the findings required of it by Section 2 and the extent to which it has approved or modified the original application;

(3) The proposed maturity schedule of the notes or bonds;

(4) The anticipated interest cost for each year during the life of the notes or bonds;

(5) The anticipated aggregate principal and interest requirements for the notes or bonds;

(6) The number and maturity dates of the notes or bonds which shall be subject to redemption prior to their stated maturities;

(7) The proposed redemption premium schedule; and

(8) The number of paying patients at the time of application and the revenue derived therefrom during the preceding twelve months.

SECTION 4. Governor and State Treasurer to approve request.—It shall be the duty of the Governor and the State Treasurer to examine the request of the board and if they shall jointly approve it and for themselves determine that the revenue derived from paying patients will, upon the basis of the average number of such patients for the preceding three-year period, produce funds sufficient to meet the principal and interest requirements on the proposed notes or bonds and on all outstanding notes or bonds, and provide the margin of such principal and interest requirements to the extent required in Section 2 (2), they shall provide for the issuance of notes or bonds in the amount approved by the board.

SECTION 5. Applications may be combined.—If it shall happen that more than one application by the commission or trustees shall be received and approved at approximately the same time, notes or bonds equal to an amount equal to the aggregate of the approved applications may be issued as a single issue.

SECTION 6. Maximum indebtedness.—Notwithstanding other provisions of this act, notes or bonds issued for the benefit of mental health facilities under the jurisdiction of the commission shall not exceed five million dollars at any one time, and notes or bonds issued for the benefit of Whitten Village shall not exceed two million, six hundred thousand dollars at any one time.

SECTION 7. Payment.—For the payment of the principal and interest on the notes or bonds authorized by this act, there shall be pledged the revenue derived from paying patients and so much of the revenue derived from inheritance, gift or estate taxes as may be necessary to meet the annual principal and interest requirements.

SECTION 8. Form.—Bonds issued pursuant to this act may be in the form of negotiable coupon bonds, payable to bearer, with the privilege to the holder of having them registered in his name on the books of the State Treasurer as to principal only, or as to principal and inter-

est, and such principal, or both principal and interest, as the case may be, thus made payable to the registered holder, subject to such conditions as the State Treasurer may prescribe. Bonds so registered as to principal in the name of the holder may thereafter be registered as payable to bearer and made payable accordingly.

The bonds may also be issued as fully registered bonds with both principal and interest thereof made payable only to the registered holder. Fully registered bonds shall be subject to transfer under such conditions as the State Treasurer may prescribe. Fully registered bonds may, if the proceedings authorizing their issuance so provide, be convertible into negotiable coupon bonds with the attributes set forth in the first paragraph of this section.

SECTION 9. Denominations and interest.—The notes or bonds shall be in the denomination of one thousand dollars or any multiple thereof. They shall bear interest payable semiannually at a rate or rates not exceeding the maximum interest rate specified in the board's request for their issuance. Each issue of the notes or bonds shall mature in annual series or installments, the last of which shall mature not more than twenty years after the date of issue, but no notes or bonds shall be issued under the authority of this act to mature after the year 1993. The installments or series may be equal or unequal in amount. The bonds may, in the discretion of the board, be made subject to redemption at par and accrued interest, plus such redemption premium as it shall approve and on such occasions as may be specified in the request for the issuance of the bonds. The notes or bonds shall not be redeemable before maturity unless they contain a statement to that effect. Notes or bonds purchased by any State agency shall contain such a statement.

SECTION 10. Execution.—The notes or bonds shall be signed by the Governor and the State Treasurer. In the instance of the Governor, he may sign bonds by a facsimile of his signature. The Great Seal of the State shall be affixed to, impressed or reproduced upon each of them and shall be attested by the Secretary of State. The coupons attached to the bonds shall be authenticated by a facsimile signature of the State Treasurer. The delivery of the bonds so executed and authenticated shall be valid, notwithstanding any change in office or seal occurring after such executions or authentications. The bonds shall be issued in such form and denomination and with such provisions as to time, place and medium of payment as may be determined by the board, within the limitation of this act.

SECTION 11. Exempt from taxes.—The notes or bonds authorized by this act and all interest to become due thereon shall have the tax-exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 12. Sinking fund commissions may invest in bonds.—Notwithstanding any provision of law to the contrary, it shall be lawful for sinking fund commissions to invest any monies in their hands in these notes or bonds.

SECTION 13. Notes may be privately placed.—The notes or bonds may be privately placed if the terms and conditions of such disposition shall be approved by resolution adopted by the board and the terms of such proposal meet the financial test prescribed by this act.

SECTION 14. Proceeds.—The proceeds of sale of the notes or bonds shall be received by the State Treasurer and placed in a fund to the credit of the commission or trustees, subject to withdrawal on its order, except that all accrued interest received shall be used by him to discharge the first installment of the interest coming due and any premium shall be used to discharge the first installment of principal coming due on such notes or bonds. On the occasion that he receives the proceeds of the notes or bonds from the purchaser, the State Treasurer shall segregate the proceeds for the account of the institution for which the notes or bonds shall be issued. The purchasers of the notes or bonds shall not be liable for the application of the proceeds of the notes or bonds to the purpose for which they are intended.

SECTION 15. Fees of patients to be placed in special fund.—Immediately following the determination of the Governor and the State Treasurer to provide for the issuance of the notes or bonds, the treasurer shall segregate into a special fund all fees of paying patients of the institution for which the notes or bonds are to be issued, and the treasurer shall apply such special fund to the payment of principal, interest and redemption premium, if any, on all notes or bonds issued pursuant to this act for such institution and for no other purpose.

It is not intended that the provisions of this section shall preclude there being issued and outstanding more than one issue of notes or bonds whose proceeds shall be applied in whole or in part for any of the institutions under the commission or trustees if the fees for paying patients of such institutions will produce sufficient funds to meet the

principal and interest requirements on the proposed issue, and all outstanding issues for such institution made pursuant to this act. It is merely intended that so long as there are outstanding notes or bonds issued for any of these institutions, the fees of paying patients of such institutions shall be applied within the limitations of this section to the payment of the principal, interest and redemption premium, if any, of all notes or bonds issued for improvements at such institutions pursuant to this act and for no other purpose, nor is it intended that any preference or priority as to the proceeds of the fees of paying patients of any of the institutions be created.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R886, H2297)

No. 1101

An Act To Appropriate Not Exceeding One Hundred Twenty-Five Thousand Dollars Out Of Certain Funds Made Available Under The Employment Security Administrative Financing Act Of 1954, As Amended By The 88th Congress, 1st Session, Public Law 88-31, 77 Stat. 51, Section 903 (c) (2), To Be Expended As Follows: For The Purpose Of Reimbursing Administrative Costs Of Operating The Unemployment Insurance Program In Excess Of Funds Provided For In The Regular Budget, The Sum Of Sixty-Five Thousand Dollars; For The Purpose Of Making Repairs And Alterations To And Replacement Of Equipment As Well As The Maintenance Of Office Buildings Heretofore Constructed And Presently Occupied By The South Carolina Employment Security Commission, The Sum Of Twenty-Five Thousand Dollars; And For Non-Personal Services Costs Not Provided By The Federal Government, The Sum Of Thirty-Five Thousand Dollars; And To Provide That This Appropriation Must Be Obligated Within Two Years Following The Enactment Of This Act.

Whereas, the Congress of the United States by the passage of the Employment Security Administrative Financing Act of 1954, being Chapter 657, Public Law 567, 83rd Congress, 2nd session, as amended by the 88th Congress, 1st session, Public Law 88-31, 77 Stat.

51, Section 903 (c) (2), has made available to the several states certain funds derived from collections under the Federal Unemployment Tax Act, which may be used by the states, among other things, for the purpose of reimbursing administrative costs of operating the Unemployment Insurance Program in excess of funds provided for in the regular budget; and for the purpose of making repairs and alterations to and replacement of equipment as well as the maintenance of office buildings heretofore constructed and presently occupied by the South Carolina Employment Security Commission; and also to make allowance for non-personal services costs not provided by the Federal government; and

Whereas, it is the considered judgment of the General Assembly that the most economical and advantageous use which can be made of the funds provided for in such act, and made available to the State of South Carolina, is to apply such funds for the purpose of reimbursing administrative costs of operating the Unemployment Insurance Program in excess of funds provided for in the regular budget; and for the purpose of making repairs and alterations to and replacement of equipment as well as the maintenance of office buildings heretofore constructed and presently occupied by the South Carolina Employment Security Commission; and also to make allowance for non-personal services costs not provided by the Federal government. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Appropriation for Employment Security Commission.—There is hereby appropriated to the South Carolina Employment Security Commission a sum not to exceed one hundred twenty-five thousand dollars out of the funds made available to this State under the Employment Security Administrative Financing Act of 1954, Chapter 657, Public Law 567, 83rd Congress, 2nd session, as amended by the 88th Congress, 1st session, Public Law 88-31, 77 Stat. 51, Section 903 (c) (2), to be expended as follows: For the purpose of reimbursing administrative costs of operating the Unemployment Insurance Program in excess of funds provided for the regular budget, the sum of sixty-five thousand dollars; for the purpose of making repairs and alterations to and replacement of equipment as well as the maintenance of office buildings heretofore constructed and presently occupied by the South Carolina Employment Security Commission, the sum of twenty-five thousand dollars; and for non-personal services costs not provided by the Federal gov-

ernment, the sum of thirty-five thousand dollars. This appropriation must be obligated within two years following the enactment of this act. The amount obligated pursuant to this act during any twelve month period beginning on July first and ending on the next June thirtieth shall not exceed the amount by which (a) the aggregate of the amounts credited to the account of this State pursuant to Section 903 of the Social Security Act, amended as aforesaid, during such twelve month period and the nine preceding twelve month periods exceeds (b) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this State during such ten twelve month periods.

SECTION 2. Deposits and expenditures.—Money appropriated as provided herein under the provisions of Section 1 of this act shall be requisitioned as needed by the Commission for the payment of obligations incurred under such appropriation and, upon requisition, shall be deposited in the State's Employment Security Administration Fund, from which such payment shall be made. The Commission shall maintain a separate record of the deposit, obligation, and expenditure of funds so deposited. Money so deposited shall, until expended, remain a part of the Unemployment Fund and, if it will not be expended, shall be returned promptly to the account of this State in the Unemployment Trust Fund.

SECTION 3. Powers.—The Commission may employ such necessary architects, engineers and contractors, and may execute all contracts necessary to effectuate the declared purposes of this act.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R1054, S788)

No. 1102

An Act To Authorize The South Carolina State Ports Authority To Enter Into A Spoil Disposal Agreement With The Owner Of Daniels Island, And To Specify The Ownership Of Accretions Or Additions Resulting From The Spoil Disposal.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Ports Authority and owners of Daniels Island may make spoil disposal agreement.—The South Carolina State Ports Authority, with the approval of the State Budget and Control Board, is hereby authorized to enter into a spoil disposal agreement or agreements with the owner or owners of Daniels Island, in Charleston harbor, for the diking and use of lands on and adjoining the island for the deposit of spoil materials dredged from the harbor; and to recognize the riparian rights of the owner or owners and agree in the agreement or agreements that all such deposits and the land covered thereby, whether above or below mean low watermark, shall become the property of the owner or owners as accretions or additions to Daniels Island.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1137, H2485)

No. 1103

A Joint Resolution To Permit The Wade Hampton Chapter Of The Sons Of Confederate Veterans And Other Similar Organizations To Place Chesnut Cottage On The Rear Of The Lot On Which The Woodrow Wilson Boyhood Home Now Stands.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chesnut Cottage may be moved.—The Wade Hampton Chapter of the Sons of Confederate Veterans and other similar organizations are hereby authorized to place Chesnut Cottage, the war-time residence of General James Chesnut, Jr., on the rear portion of the lot on which the Woodrow Wilson Boyhood Home now stands which is not now being used.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R743, S566)

No. 1104**An Act To Authorize The Secretary Of State To Restore The Charter To The McConnell-Myers Co.**

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the McConnell-Myers Co. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of McConnell-Myers Co. may be restored.

—Authority is hereby granted to the Secretary of State to restore the charter of the McConnell-Myers Co. upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R754, H2077)

No. 1105**An Act To Authorize The Secretary Of State To Restore The Charter To The F. W. Harrison & Son, Incorporated.**

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the F. W. Harrison & Son, Incorporated. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of F. W. Harrison & Son may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of the F. W. Harrison & Son, Incorporated, upon the payment to the South Carolina Tax Commission of such

taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R755, H2078)

No. 1106

An Act To Authorize The Secretary Of State To Restore The Charter To The Friendly Motor Court, Incorporated.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Friendly Motor Court, Incorporated. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charter of Friendly Motor Court may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of the Friendly Motor Court, Incorporated, upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R761, H2105)

No. 1107**An Act To Authorize The Secretary Of State To Restore The Charter Of Atlantic Shellfish Co., Inc.**

Whereas, the General Assembly by concurrent resolution, pursuant to the requirements of the Constitution of South Carolina, 1895, Article IX, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of Atlantic Shellfish Co., Inc. Now therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Atlantic Shellfish Co. may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Atlantic Shellfish Co., Inc., upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest the commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R867, H2104)

No. 1108**An Act To Authorize The Secretary Of State To Restore The Charter To The Land Developers Of Aiken, Inc.**

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Land Developers of Aiken, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Land Developers of Aiken, Inc., may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of the Land Developers of Aiken, Inc., upon

the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1964.

(R913, S648)

No. 1109

An Act To Authorize The Secretary Of State To Restore The Charter To The C.F.C. Insurance Agency, Inc.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the C.F.C. Insurance Agency, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charter of C.F.C. Insurance Agency may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of the C.F.C. Insurance Agency, Inc., upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R915, S687)

No. 1110

An Act To Authorize The Secretary Of State To Restore The Charter To The Fort Mill Cotton Warehouse Company.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Fort Mill Cotton Warehouse Company. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Fort Mill Cotton Warehouse Company may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of the Fort Mill Cotton Warehouse Company upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R985, S731)

No. 1111

An Act To Authorize The Secretary Of State To Restore The Charter To Banshee, Inc.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of Banshee, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Banshee, Inc., may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Banshee, Inc., upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Com-

mission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R986, S732)

No. 1112

An Act To Authorize The Secretary Of State To Restore The Charter To Kingston Development Company, Inc.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of Kingston Development Company, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charter of Kingston Development Co., Inc., may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Kingston Development Company, Inc., upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R1005, H2379)

No. 1113**An Act To Authorize The Secretary Of State To Restore The Charter To Goode Realty.**

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of Goode Realty. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Goode Realty may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Goode Realty upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1006, H2380)

No. 1114**An Act To Authorize The Secretary Of State To Restore The Charter To The Florence Concrete Products, Inc.**

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Florence Concrete Products, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Florence Concrete Products, Inc., may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of the Florence Concrete Products, Inc., upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in

which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1010, H2439)

No. 1115

An Act To Authorize The Secretary Of State To Restore The Charter Of Robertson-de Medicis Distributing Company.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article IX, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of Robertson-de Medicis Distributing Company. Now therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Robertson-de Medicis Distributing Co. may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Robertson-de Medicis Distributing Company upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1011, H2440)

No. 1116

An Act To Authorize The Secretary Of State To Restore The Charter Of Forest Park.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of Forest Park. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charter of Forest Park may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Forest Park upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the commission shall find to be due. The Secretary of State shall notify the clerk of court in the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1083, H2619)

No. 1117

An Act To Authorize The Secretary Of State To Restore The Charter To Windy Hill Beach.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article IX, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of Windy Hill Beach. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charter of Windy Hill Beach may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Windy Hill Beach upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1113, H2477)

No. 1118

An Act To Authorize The Secretary Of State To Restore The Charter Of Background Music, Inc.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of Background Music, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charter of Background Music, Inc., may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Background Music, Inc., upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1135, H2456)

No. 1119

An Act To Authorize The Secretary Of State To Restore The Charter Of Gibson-Morgan Co., Inc.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved introduction of a bill authorizing the Secretary of State to restore the charter of Gibson-Morgan Co., Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Gibson-Morgan Co. may be restored.

—Authority is hereby granted to the Secretary of State to restore the charter of Gibson-Morgan Co., Inc., upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1147, H2584)

No. 1120

An Act To Authorize The Secretary Of State To Restore The Charter Of Terminal Taxi Company.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of Terminal Taxi Company. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Terminal Taxi Company may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Terminal Taxi Company upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1148, H2585)

No. 1121

An Act To Authorize The Secretary Of State To Restore The Charter To Murray-Mitchell Building Supply Co., Inc.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of Murray-Mitchell Building Supply Co., Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Murray-Mitchell Building Supply Company may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Murray-Mitchell Building Supply Co., Inc., upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1269, S796)

No. 1122

An Act To Authorize The Secretary Of State To Restore The Charter To Midlands Water Development Corporation.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of Midlands Water Development Corporation. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Midlands Water Development Corporation may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Midlands Water Development Cor-

poration upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1346, H2732)

No. 1123

An Act To Authorize The Secretary Of State To Restore The Charter Of Abacus Corporation In Charleston County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charter of Abacus Corporation may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Abacus Corporation in Charleston County upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the commission shall find to be due. The Secretary of State shall notify the Register of Mesne Conveyance of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the Register of Mesne Conveyance shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1371, H2735)

No. 1124

An Act To Authorize The Secretary Of State To Restore The Charter Of Palmetto Speedway, Inc., In Laurens County.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, ap-

proved the introduction of a bill authorizing the Secretary of State to restore the charter of Palmetto Speedway, Inc., in Laurens County. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Palmetto Speedway, Inc., may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Palmetto Speedway, Inc., in Laurens County, upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R942, S622)

No. 1125

An Act To Amend Act No. 277 Of The Acts Of 1941, Incorporating The State Agricultural And Mechanical Society Of South Carolina, So As To Provide For The Disposition Of Property In The Event Of Dissolution.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 277 of 1941 amended—disposition of property in event of dissolution.—Act No. 277 of the Acts of 1941 is amended by adding at the end of Section 5 the following : “*Provided*, that in the event of dissolution of the State Agricultural and Mechanical Society of South Carolina all property then owned by the society will become the property of the City of Columbia.” so that, when so amended, Section 5 shall read :

“Section 5. The Charter hereby granted shall remain in effect until modified or repealed by Act of the General Assembly. *Provided*, that in the event of dissolution of the State Agricultural and Mechanical Society of South Carolina all property then owned by the society will become the property of the City of Columbia.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R781, H2177)

No. 1126

An Act To Authorize Abbeville County To Borrow Not Exceeding Ninety Thousand Dollars For Hospital Construction And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Abbeville County may borrow money.—The Governing Body of Abbeville County is authorized to borrow not exceeding ninety thousand dollars from the Division of Sinking Funds and Property, or any other lending agency, to be used toward the construction of a new hospital for Abbeville County. The amount borrowed shall be evidenced by notes to be executed by the chairman of the board and the treasurer of the county, and shall bear such rates of interest as may be agreed upon between the lender and the governing body of the county. The notes shall be payable in five equal installments with the right to anticipate the payment thereof at any annual interest paying period.

SECTION 2. Payment.—For the payment of the notes the Auditor of Abbeville County shall levy, and the Treasurer shall collect, an annual tax on the taxable property of Abbeville County sufficient to pay the installments and interest thereon as they become due, and when the entire sum with interest has been paid the levy provided herein shall be terminated.

In the event Abbeville County may receive or have on hand any funds not otherwise pledged or designated for a particular use, such funds may be used for payment of the loan and interest thereon.

The full faith, credit and taxing power of Abbeville County are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall

transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Money to be used for original purpose only.—The money authorized to be borrowed pursuant to the provisions of this act shall be used for its original purpose only. In the event any of the money authorized to be borrowed is made available by the federal government, then only so much as is not made available shall be borrowed. Any money which has been borrowed and is not to be used for its original purpose shall be used to repay the loan.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R1071, H2544)

No. 1127

An Act To Provide For The Levy Of Taxes For School And County Purposes For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965, For Abbeville County, And To Direct The Expenditure Thereof, And Otherwise Relating To The Fiscal Affairs Of Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The Auditor of Abbeville County is hereby authorized to levy a sufficient millage on taxable property of Abbeville County to meet the appropriations herein made for the fiscal year beginning July 1, 1964, and ending June 30, 1965. There is hereby appropriated from the General Fund of Abbeville County the following sums for the following purposes:

ITEM A. SALARIES:

Auditor	\$ 1,210.00
Clerk to Auditor	2,850.00
Treasurer	1,210.00
The auditor and treasurer are paid from State funds \$4,040.00 each, and this together with county supplement gives each a salary of \$5,250.00.	
Clerk to Treasurer	2,850.00
Sheriff	5,000.00

Assistant Jailor to Sheriff	400.00
Four Deputy Sheriffs at \$4,200.00	16,800.00
Tax Collector	4,500.00
Travel Expense, Tax Collector, etc.	500.00
<i>Provided</i> , the above shall be paid by order of the Supervisor, and two sub-supervisors and the County Legislative Delegation, upon an itemized and verified claim of Tax Collector, not exceeding in any one month one-twelfth of the total allowance for the twelve months.	
Supervisor	5,000.00
Clerk to Board	2,850.00
County Commissioners (2) @ \$600.00	1,200.00
Clerk of Court	5,000.00
Assistant to Clerk of Court	2,850.00
Judge of Probate	5,000.00
Clerk to Judge of Probate	2,850.00
Coroner	600.00
Stenographer	2,850.00
Total	\$ 63,520.00

ITEM B. COURT EXPENSES:

Jurors and Witnesses	\$ 8,000.00
<i>Provided</i> , that jurors for the Court of Common Pleas and General Sessions shall be paid at the rate of \$7.50 per day. <i>Provided</i> , further, that the jury boy shall receive \$5.00 per day and the court crier and bailiff shall receive \$7.50 per day.	
Magistrates' Courts:	
Abbeville	2,000.00
Donalds	325.00
Due West	325.00
Calhoun Falls	600.00
Lowndesville	325.00
Diamond Hill	325.00
Constables:	
Donalds	300.00
Due West	300.00
Calhoun Falls	450.00
Lowndesville	300.00

	Diamond Hill	300.00
	Lunacies, Post Mortems and Inquests	1,250.00
	<i>Provided</i> , that the Sheriff shall serve civil and criminal papers pertaining thereto. In the event that the Coroner of Abbeville County is sick, or otherwise disqualified, the Magistrate of Abbeville County shall hold post mortems and inquests without compensation; <i>provided</i> , further that the examining physicians be paid \$10.00 each per examination.	
	Total	\$ 14,800.00
ITEM C.	PUBLIC OFFICERS:	
	Printing, postage and stationery	\$ 5,000.00
	Telephone and telegraph, courthouse and phones of other county officials, twelve, if so much be necessary	1,750.00
	Premiums of county bonds and recording of same	1,000.00
	Total	\$ 7,750.00
ITEM D.	PUBLIC HEALTH:	
	Mental Health Clinic	\$ 3,000.00
	County Health Unit, if so much be necessary, for use by the County Health Department in carrying on proper health program to be agreed upon by the County Legislative Delegation and the State Board of Health	11,000.00
	Rent on Health Clinic at Donalds, S. C., payable \$25.00 per month, beginning the first day of July, 1964	300.00
	Rent on Health Clinic at Antreville, \$12.00 per month	144.00
	Total	\$ 14,444.00
ITEM E.	PUBLIC BUILDINGS:	
	Janitor—Courthouse	\$ 2,000.00
	Water, heat, lights, supplies for janitor	5,000.00
	Insurance	3,000.00
	Total	\$ 10,000.00

ITEM F. SPECIALS:

Board of Equalization	\$ 1,000.00
Board of Registration, if so much be needed	350.00
Abbeville County Service Officer—monthly basis	1,320.00
Cost of service and maintenance of Mobile Telephone Service for the Law Enforcement Department of the County, under the supervision of the Sheriff	1,200.00
Abbeville County Memorial Hospital	15,000.00
Payable to Abbeville County Memorial Hospital, on equal monthly basis.	
<i>Provided</i> , that the sum appropriated for the Abbeville County Memorial Hospital may be reduced by the amount accruing to the county from State revenues allocated for hospitalization.	
Auditing Books for Abbeville County	2,000.00
Civil Air Patrol	600.00
(for county-wide services)	
Civil Defense	1,500.00
(for county-wide services)	
Contingent Fund	10,000.00
Treasurer, Abbeville County Library Association	3,600.00
(payments on equal monthly basis)	
Chairman of the Finance Committee, Abbeville County Public Library	1,800.00
(located in the City of Abbeville, Abbeville, S. C., to be used for library purposes on monthly basis)	
Company Commander, 263rd Signal Co., Abbeville, S. C.	1,400.00
American Legion Commander, American Legion Post No. 72, Calhoun Falls, S. C., and Auxiliary	200.00
Abbeville American Legion, Post No. 2	200.00
South Carolina Retirement System, County's Part	2,500.00
Social Security, County's Part	2,000.00
Treasurer, Abbeville County Council of Boy Scouts	150.00

Treasurer, Girl Scouts	150.00
Lunch Room Program	900.00
Secretary to Farm and Home Demonstration Agents (payable \$20.00 per month)	240.00
County Agent:	
Stamps, telephone, soil sample containers ..	125.00
Monthly expense for County Agent	300.00
Girls' 4-H Club Work	150.00
Boys' 4-H Club Work	150.00
Home Demonstration Agent—supplies	75.00
Girls' Future Homemakers of America—ex- penses	200.00
Boys' Future Farmers of America, expenses	200.00
Forestry, to be used as determined by For- estry Commission	750.00
Total	\$ 48,060.00
ITEM G. JAIL EXPENSES:	
Including dieting of prisoners and janitor ..	\$ 4,800.00
Lights and water	500.00
Fuel	750.00
Repairs to automobile, gas and oil for Sheriff	3,000.00
<i>Provided</i> , that claims for gas and oil are to be paid monthly and before such claims shall be paid as valid claims against the county, the Sheriff must take an oath that the gas and oil consumed was used only in the enforcement of criminal law.	
<i>Provided</i> , further, that the jailor shall diet all prisoners in his care and the janitor at one dol- lar and twenty-five cents per day each. All accounts for dieting of prisoners and the jan- itor shall be presented, duly attested, to the supervisor and sub-supervisors and by them allowed or rejected.	
Deputy sheriff's uniforms	600.00
Total	\$ 9,650.00
ITEM H. COUNTY HOME AND FARM:	
Chaplain and funeral expenses	\$ 600.00
The supervisors and sub-supervisors are given	

authority to exchange any produce, such as hay, corn, oats, cattle or hogs for fertilizer, ingredients to be used on the County Farm or roads of the county, for the purpose of growing truck for the purpose of feeding prisoners only, and an account to be kept of such transactions and a report to be made to the delegation. All other funds received from the sale of livestock and produce shall go into the General Fund of Abbeville County unless otherwise authorized by the County Legislative Delegation.

Total		\$ 600.00
ITEM I. ROADS AND BRIDGES:		
Maintenance of roads and bridges and purchasing of new road machinery and trucks, under jurisdiction of supervisor and sub-supervisors		70,950.00
Total		\$ 70,950.00
ITEM J. INTEREST, ETC.		
Interest on county indebtedness		\$ 1.00
Total		\$ 1.00
ITEM K. PUBLIC WELFARE:		
To pay Abbeville County Department of Public Welfare for use as an emergency fund payable on the order of the County Board of Public Welfare		\$ 1,000.00
<i>Provided</i> , that no payment shall exceed the sum of \$25.00 to any one family or person.		
Abbeville County Department of Public Welfare for use as Physician's Fee Fund, payable on order of the County Board of Public Welfare		600.00
<i>Provided</i> , that no physician's fee shall be expended except to call on persons on the relief roll of Abbeville County who are unable to attend the clinics provided by Abbeville County Health Department.		

Abbeville County Department of Public Welfare—for office supplies	100.00
Abbeville County Department of Public Welfare, for one additional clerical worker, payable \$150.00 per month	1,800.00
County Director of Public Welfare, supplemental salary, payable \$30.00 per month ..	360.00
Public Welfare members (3), payable \$7.50 per month	270.00
Each member of Public Welfare Staff, Social Workers, expense account—four members \$120.00 each, payable \$10.00 per month....	480.00
Each member of Public Welfare Staff, Clerical Workers—three members \$120.00 each, payable \$10.00 per month	360.00
Total	\$ 4,970.00
ITEM L. MISCELLANEOUS	\$ 1.00
Total	\$ 1.00
GRAND TOTAL	\$244,746.00
Less Estimated Revenue Other than Taxes:	
Road Tax	\$ 1,300.00
Income Tax	26,000.00
Liquor Tax	18,500.00
Beer and Wine Tax	5,000.00
Gas Tax	70,950.00
Bank Tax	2,000.00
Insurance License Fees	14,000.00
Fines and Fees	35,000.00
Forestry	12,000.00
Total	\$184,750.00
TOTAL TO BE RAISED BY TAXATION	\$ 59,996.00

SECTION 2. The sub-supervisors shall have equal authority in county matters with the supervisor; *provided*, that the statement of affairs of the county shall be posted on the bulletin board in front

of the courthouse and published in the newspapers as now provided by law; that unless the supervisor publishes the statement it shall be unlawful for the county treasurer to pay the salary of the supervisor; *provided*, that the county treasurer shall pay all county officers monthly instead of quarterly. *Provided*, further, that in the maintenance of county roads the supervisor is hereby authorized to expend not more than one-fourth of the appropriation during each quarter of the calendar year.

SECTION 3. The Board of Trustees of School District No. 60 of Abbeville County shall prepare a budget for cost of operation of the schools, maintenance of buildings and equipment within the district, and determine the number of mills required to be levied to finance same. They shall then certify at an appropriate date the budget and millage required for the year to the county board of education. The county board of education shall review the budget and recommend millage so submitted, making such changes as the board of education may deem necessary; then, with the advice and consent of the legislative delegation, the county board of education shall certify the millage required to the Auditor of Abbeville County, whereupon the county auditor shall levy the required tax upon all the taxable property within the district, and the Treasurer of Abbeville County shall collect the same in like manner as all taxes are collected, and place the same in the district school account, to be disbursed for the declared purpose in the manner fixed by law and in keeping with the budget submitted.

SECTION 4. The money appropriated above as a contingent fund is to be used and paid out at the direction of the county delegation.

SECTION 5. The various items herein appropriated for the purposes herein specified shall be used exclusively as provided for in this act, and any transfer of funds from one item to another is hereby specifically prohibited, and any officer who violates this provision shall be deemed and considered guilty of malfeasance in office. *Provided*, that the transfer of any of the items may be made by the written consent of the Abbeville County Delegation, and upon such transfers being made, such sum shall be expended only for the purposes designated by such transfers.

SECTION 6. If, owing to the nonpayment of taxes caused by the extension of time for payment of taxes, or otherwise, there shall not be sufficient funds available for the full payment of the notes ex-

ecuted by the county board to secure the loans for the fiscal year 1963-64, ending June 30, 1964, then in that case the county governing board is authorized to renew such note or notes for any balance or balances which may be due and unpaid for such time as funds may become available for the payment of same, such board being the supervisor and sub-supervisors.

SECTION 7. Any unexpended balance in any department, at the end of the fiscal year 1963-64, with all delinquent taxes, other than school taxes, which shall be collected in the fiscal year 1964-65, shall be placed in the contingent fund. The legislative delegation shall direct that this fund be used for county purposes and if it is found that the tax levy can be reduced, the delegation shall instruct the auditor to reduce the same.

SECTION 8. The Abbeville County Legislative Delegation may, at any time, order the discontinuance and storage of any motor car or other equipment owned or hereafter to be owned by Abbeville County.

SECTION 9. The county legislative delegation is hereby authorized and empowered to secure the services of a public accountant to make an audit of the county books for the fiscal year 1964-1965.

SECTION 10. In the event the county needs legal advice of any sort, then the Abbeville County Legislative Delegation shall employ an attorney of its choice and shall pay for such legal advice from the contingent fund.

SECTION 11. The salaries fixed herein for the clerk of court of common pleas and general sessions and register of mesne conveyances, sheriff, county treasurer, judge of probate and county auditor shall be in full compensation and all fees to be collected by law for items placed in their hands, on and after July 1, 1964, shall be turned over to the county treasurer as provided in Section 14-712 of the 1962 Code; *provided*, that should any officer fail to comply with the above stated acts, the county governing body shall withhold payment of salary of said officer until such is done.

SECTION 12. The Abbeville County Delegation may add new items to Item L, Miscellaneous, and transfer from the Contingent Fund, for the payment thereof.

SECTION 13. The supervisor and the sub-supervisors are hereby prohibited from entering into a contract for the county whereby any

legal counsel is employed to prosecute or defend any suit in the State, county, or any official thereof, or agree to pay any legal fees to counsel whether authorized by the courts, or not, without having first obtained the written consent of the Abbeville County Legislative Delegation.

SECTION 14. All authorizations for transfers for the 1963-1964 Appropriations Act of Abbeville County to all departments of county government are hereby ratified, confirmed and validated.

SECTION 15. The county governing board of Abbeville County is hereby authorized and directed to borrow the sum of seventy-five thousand dollars, if so much be necessary, to be credited to the general county fund, and used for general county expenses in the event that the sums herein appropriated should be insufficient to meet the needs of the county for the period covered by this act.

SECTION 16. Such indebtedness, if created, shall be evidenced by a note and such note shall bear interest at the rate of not to exceed five per cent per annum, shall be payable one year from date, and shall be signed by the chairman and the members of the county governing board.

SECTION 17. The county treasurer is hereby authorized to credit the proceeds of the loan to the general county fund.

SECTION 18. The indebtedness evidenced by the note provided for herein shall be repaid from the proceeds of the tax levy for the fiscal year 1964-1965.

SECTION 19. No long distance telephone calls shall be charged to the county except such as are necessary in performing a public duty in connection with the administration of the affairs of the county, and no claim for any such calls shall be approved or paid unless on a verified, itemized claim showing the name of the person making the call, the person to whom the call was made and the date and purpose thereof.

SECTION 20. All purchases made by any of the officials of Abbeville County exceeding the sum of two hundred fifty dollars shall be submitted for bids and shall be approved by the Abbeville County Legislative Delegation.

SECTION 21. All gasoline used by the Sheriff's Department will be supplied from the tank at the Abbeville County Farm. At the

time any gasoline is pumped from the tank and oil furnished, the same shall be signed for by the party getting the gasoline or oil at the fueling place. In case there should be an emergency on the road, then the Sheriff's Department is permitted to purchase gasoline and oil and furnish an itemized statement for same.

SECTION 22. Any necessary expenses incurred by the Legislative Delegation pertaining entirely to county business will be reimbursed out of the contingent fund by furnishing the county governing board with a statement of expenditures.

SECTION 23. All appropriations made herein and all unappropriated and unpledged surplus funds in the hands of the Treasurer of Abbeville County are subject to the right and authority of the County Legislative Delegation to alter, increase or deduct therefrom at any time, when, in their judgment, such alterations, increases or deductions are necessary for the best interest of the county and to conform with the revenue expected during the life of this act. All surplus funds resulting from unused appropriations may be transferred to the contingent fund, and the contingent fund is to be used and paid out at the direction of the County Legislative Delegation as set forth hereinabove.

SECTION 24. In order to effect the payment of the principal and interest of the outstanding Road Improvement Bonds of Abbeville County maturing on June first in the years 1965 and 1966, the treasurer shall set apart in a special fund the aggregate of all sums to become due by way of principal and interest on such bonds, and shall thereafter transfer to the general fund of the county any surplus in the special sinking fund set up for the payment of these bonds and other bonds, it having been found that the payment thus made will discharge in full all sums due by Abbeville County for principal and interest of all bonds of Abbeville County to be outstanding after July 1, 1964.

SECTION 25. The records pertaining to the business of Abbeville County shall be open to inspection by any member of the County Legislative Delegation or to any citizen of Abbeville County.

SECTION 26. Each agency or department of the county shall keep an up-to-date stock record of all properties or goods purchased with appropriated funds, a copy of which shall be filed with the clerk of court and the county delegation at the end of each fiscal year.

SECTION 27. Each agency or department of the county receiving appropriated funds shall, at the end of each fiscal year, file with the clerk of court an accounting as to the use of such funds. This accounting shall be available for examination or inspection by the citizens of Abbeville County.

SECTION 28. This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1201, S791)

No. 1128

An Act To Authorize The Piedmont Technical Education Commission To Issue Not Exceeding Three Hundred Seventy-Five Thousand Dollars Of General Obligation Bonds Of The Piedmont Technical Education And Training District, To Prescribe The Purposes For Which The Bonds Shall Be Issued, And To Make Provisions For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that by legislation enacted *pari materia* there has been created the Piedmont Technical Education and Training District (hereafter called the “district”), which is governed by the Piedmont Technical Education Commission (hereafter called the “commission”), for Abbeville, Greenwood, Laurens, McCormick and Saluda Counties, in order that these counties may cooperate with the program instituted by Section 21-701 of the 1962 Code to promote a program of vocational and technical education in the State.

The General Assembly further finds that there is an immediate need that such a program be instituted in the district. Under the provisions of the State program, it is required that cooperating counties furnish the facilities necessary to implement the program and thereafter supervise and maintain them. Surveys conducted indicate that suitable facilities and equipment, located in a convenient place, are necessary before the State program can begin to function in the district. The General Assembly has therefore determined to authorize the commission to issue general obligation bonds of the district to the extent herein provided, in order to provide the com-

mission with the funds required for the construction and equipping of the facilities. In so determining, the General Assembly has found that the basic purpose for the program is to educate, in technical and vocational fields, those to whom the program will become available, and the purpose of the expenditure is educational.

SECTION 2. Bond issue authorized.—In order to provide funds to be expended by the commission for the construction and equipping of appropriate facilities, the commission, as it exists on July 1, 1964, is authorized to issue and sell general obligation bonds of the district in an aggregate principal amount not exceeding three hundred seventy-five thousand dollars.

SECTION 3. Number of issues.—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

SECTION 4. Maturity.—The bonds shall mature in such annual series or installments as the commission shall provide for, except that the last maturing bonds shall mature not later than twenty years from the date as of which the bonds shall be issued.

SECTION 5. Redemption.—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturity at par and accrued interest, plus such redemption premiums as may be prescribed by the commission, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

SECTION 6. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the commission, upon such conditions as it may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 7. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the commission shall provide.

SECTION 8. Interest.—Bonds issued pursuant to this act shall be in such denomination and shall bear interest at rates determined by the commission.

SECTION 9. Execution.—All general obligation bonds issued pursuant to this act shall be manually signed by the chairman of the commission. The seal of the district shall be affixed to, impressed or reproduced upon each of such bonds, and each of such bonds shall be attested by the secretary of the commission. The coupons attached to such bonds shall be authenticated by a facsimile of the signatures of the chairman and the secretary of the commission, who shall be in office on the date of the adoption of the resolution of the commission authorizing the bonds.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—There shall be irrevocably pledged for the payment of such bonds and interest as they mature the full faith, credit and resources of the district. Until the principal and interest of all bonds issued under this act shall be fully paid, there shall be levied on all taxable property in the district an annual tax ad valorem sufficient to pay the principal and interest of all bonds issued under this act as such principal and interest become due. The tax shall be annually levied by the Comptroller General of South Carolina and collected by the treasurers of the counties composing the district at the same time and in the same manner as county taxes are collected. Each of the county treasurers shall collect the tax in his county and pay the same to the State Treasurer in the manner and within the time provided by law for the payment of state taxes to the State Treasurer, who shall set them apart in a special fund and apply them solely to the payment of principal and interest of the bonds so long as any such principal or interest remains outstanding. The tax to be levied under the provisions of this section shall not be substantially greater than the amount necessary to pay principal and interest of bonds maturing during the year in which moneys produced by such levy will come into the hands of the State Treasurer, as reduced by the anticipated balance of funds actually in the hands

of the State Treasurer, on the occasion when it becomes necessary to fix such tax levy, produced by the net revenues derived by the commission from the operation of its facilities not required to meet costs of operating, maintaining, enlarging and improving its facilities, or to discharge covenants securing bonds issued pursuant to this act. When all principal and interest of outstanding bonds have been paid, the State Treasurer shall transfer any balance remaining in the special fund created under the terms of this section to the general fund of the commission subject to its draft or order for any legitimate purpose incident to the operation, maintenance or extension of the district's facilities.

SECTION 12. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 13. Proceeds.—The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of the State of South Carolina in a separate and special fund, and shall be subject to transfer, upon warrants or orders of the commission, to any bank or trust company having an office within the district, to be expended by the commission for the purposes specified herein, and no others; *provided*, however, that any premium received shall be deposited with the Treasurer of the State of South Carolina and applied by him to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the State Treasurer to the first installment of interest becoming due on the bonds; and *provided*, further, pending such withdrawals, the Treasurer of South Carolina shall, upon the request of the commission, be empowered to invest and reinvest the proceeds derived from the sale of the bonds in direct general obligations of the United States of America having a maturity of not more than one year from the date as of which such investment shall be made. Income derived from such investments shall be applied to the payment of any interest to accrue on the general obligation bonds of the district. Neither the purchaser of the bonds nor any subsequent holders thereof shall be responsible for the proper application of the proceeds of sale.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1237, S839)

No. 1129

An Act To Authorize The Board Of Trustees Of The School District Of Abbeville County To Issue Not Exceeding Two Hundred Fifty Thousand Dollars Of General Obligation Bonds Of The School District, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that the School District of Abbeville County (sometimes known as Abbeville County School District No. 60) has a need for further school facilities in order to accommodate pupils attending the public school system in the school district. It has therefore determined to authorize the board of trustees of the school district to effect the acquisition of further school facilities through the constructing and equipping of buildings and the renovation and improvement of existing buildings to the extent of two hundred fifty thousand dollars or such lesser sum as may, upon the occasions of the issuance of bonds, be determined to be within the constitutional limitation applicable to the school district.

SECTION 2. School District of Abbeville may acquire school facilities.—The Board of Trustees of the School District of Abbeville County is empowered to acquire such further school facilities as may be procured through the issuance and sale of the bonds authorized hereby and through such other funds made available to the board of trustees, and to that end, shall be empowered to construct and equip new school buildings, to improve, enlarge and re-equip existing school buildings, and to acquire such land as may be needed therefor.

SECTION 3. Bond issue authorized.—In order to obtain funds for the purposes above set forth, the board of trustees is hereby authorized and empowered to issue not exceeding two hundred fifty thousand dollars of general obligation bonds of the School District of Abbeville County. The proceeds derived from the sale of such bonds shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to acquire further school facilities as provided herein.

(d) If any balance remain, the same shall be held by the Treasurer of Abbeville County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 4. Maturity — redemption — interest — dates.—The bonds may be issued as a single issue, or from time to time as several separate issues in the discretion of the Board of Trustees of the school district; *provided*, that no bonds shall be issued later than three years after the effective date of this act. All bonds shall mature serially in successive annual installments of such amounts as may be determined by the board of trustees, except that the maturity date of the last installment of any bonds issued hereunder shall fall due not later than twenty-five years from the date such bonds bear, and the first maturity date may be postponed not more than two years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the board of trustees, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the board of trustees shall prescribe. The bonds shall be of such denomination, shall bear such rate or rates of interest as the board of trustees may determine, payable on such occasions as the board shall determine, but the average rate of interest for any issue of bonds sold pursuant to the authorizations of this act shall not exceed four and one-half per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Abbeville County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board of trustees may prescribe. They shall bear such date or dates and be payable at such places as the board of trustees may likewise prescribe.

SECTION 5. Execution.—The bonds and the interest coupons thereto attached shall be executed in such manner as the board of trustees shall prescribe.

SECTION 6. Sale.—The bonds shall be sold by the board of trustees at not less than par and accrued interest to the date of their respective

deliveries at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 7. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax exempt status as prescribed by Section 65-4.1 of the 1962 Code.

SECTION 8. Payment.—For the payment of the principal and interest of all bonds pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the School District of Abbeville County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Abbeville County, and collected by the Treasurer of Abbeville County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor; *provided*, that, until changed by subsequent enactment, the ad valorem tax levy shall be reduced to the extent that there is on deposit with the County Treasurer of Abbeville County, on the occasion in each year when the ad valorem tax levy is to be made, moneys derived from contributions or grants from the State of South Carolina to the School District of Abbeville County for capital improvements for school facilities which can be used for the payment of such principal and interest, and in all instances where an annual tax levy is so reduced, the moneys derived from such contributions and grants shall be applied to the payment of such principal and interest and to no other purpose.

SECTION 9. Action required of board.—Any action required of the board of trustees may be taken at any meeting of the board of trustees, regular or special, and at such meeting a majority of the members of the board of trustees shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the board of trustees by the provisions of this act.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1255, S870)

No. 1130

An Act To Provide For An Advisory Referendum Concerning The Issuance Of Bonds By The Abbeville County Water Authority.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Abbeville County Water Authority may hold referendum concerning issuance of bonds.—The Abbeville County Water Authority may call for an advisory referendum to be held at such time as may be determined by it, at which time the following question shall be submitted to the qualified electors of the district :

Do you favor issuing bonds in order to acquire, construct, operate, maintain, improve and extend facilities of the Abbeville Water Authority, if the issuance of such bonds does not necessitate an increase in taxes?

The referendum shall be conducted by the Commissioners of Election of Abbeville County, in accordance with the election laws of this State.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1059, S652)

No. 1131

An Act To Amend Item 17 Of Section 3 Of Act No. 442 Of 1963, Giving The Montmorenci-Couchton Water And Sewer District In Aiken County The Power Of Eminent Domain, So As To Exclude From Such Power Any Property Of A Public Utility Which Could Have Been Acquired Under The Utility's Power Of Eminent Domain.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item 17, Section 3 of Act 442 of 1963 amended—power of eminent domain.—Item 17 of Section 3 of Act No. 442 of 1963 is amended by adding at the end thereof the following: *“Provided, that the power of eminent domain conferred hereunder shall not extend to such property of any public utility as the utility*

could have acquired under its power of eminent domain." The item when amended shall read as follows:

"17. Exercise within the district the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and Sections 33-121 through 33-148 of the 1962 Code. *Provided*, that the power of eminent domain conferred hereunder shall not extend to such property of any public utility as the utility could have acquired under its power of eminent domain."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1060, S653)

No. 1132

An Act To Amend Item 17 Of Section 3 Of Act No. 443 Of 1963, Giving The Breezy Hill Water And Sewer District In Aiken County The Power Of Eminent Domain, So As To Exclude From Such Power Any Property Of A Public Utility Which Could Have Been Acquired Under The Utility's Power Of Eminent Domain.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item 17, Section 3 of Act 443 of 1963 amended—power of eminent domain.—Item 17 of Section 3 of Act No. 443 of 1963 is amended by adding at the end thereof the following: "*Provided*, that the power of eminent domain conferred hereunder shall not extend to such property for any public utility as the utility could have acquired under its power of eminent domain." The item when amended shall read as follows:

"17. Exercise within the district the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and Sections 33-121 through 33-148 of the 1962 Code. *Provided*, that the power of eminent domain conferred hereunder shall not extend to such property of any public utility as the utility could have acquired under its power of eminent domain."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1238, S845)

No. 1133

A Joint Resolution Creating The Aiken County Tax Equalization Study Commission; Providing For Its Membership, Its Powers And Duties; And Making Appropriations Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Aiken County Tax Equalization Study Commission created.—There is hereby created the Aiken County Tax Equalization Study Commission which shall be composed of ten members, who shall be appointed by a majority of the legislative delegation, including the Senator. The members shall be appointed as follows: three from a list recommended by the county board of equalization; three from a list recommended by the governing bodies of the incorporated municipalities within the county; one from a list recommended by the county board of education; and three from the county at large. The Auditor and Treasurer of Aiken County shall be ex officio members with the right to vote.

The commission shall meet as soon as practicable after appointment and organize by electing a chairman, a vice chairman, a secretary and such other officers as it may deem necessary.

SECTION 2. Powers and duties.—The commission shall have the following powers and duties:

(1) Investigate alleged inequities in the present assessment of property with particular reference to, but not limited to, classes and types and the existence of properties not returned for taxation.

(2) Investigate the feasibility of having a map prepared showing the location and type of all taxable real property within the county, and to determine the costs, procedure and methods of mapping.

(3) Enter into a contract for the mapping of the county with the approval of a majority of the legislative delegation, including the Senator.

(4) Investigate the feasibility and desirability of a program for equalizing assessments in the county and make recommendations to

the legislative delegation, including any plans, procedures or costs that might be involved, and also including the matter of holding an advisory referendum.

(5) Seek the advice of the State Tax Commission and make recommendations concerning the preparation of appropriate manuals, guides and other aides for the equitable assessment of all properties.

(6) Make recommendations concerning the training of assessors.

(7) Make recommendations concerning needed statutory changes or new legislation.

(8) Seek the assistance of officials, assessors, persons qualified in the field of real estate, and other interested citizens.

(9) Employ such personnel as may be needed, including technical assistants, with the approval of a majority of the legislative delegation, including the Senator.

SECTION 3. Appropriation.—There is hereby appropriated from the General Fund of the county to the commission the sum of one thousand dollars, which shall be utilized to pay the members of the commission, other than the ex officio members, at the rate provided by law for members of boards, commissions and committees. Vouchers for these payments shall be signed by the chairman and secretary of the commission.

All other expenditures authorized and approved by a majority of the legislative delegation, including the Senator, shall be paid out of the General County Fund, not otherwise committed or appropriated.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1280, S846)

No. 1134

A Joint Resolution To Create The Mental Health Study Commission Of Aiken County; To Define Its Powers And Duties; And To Provide An Appropriation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Mental Health Study Commission created for Aiken County.—There is hereby created the Mental Health Study Commission of Aiken County which shall consist of nine members.

The members of the commission shall be appointed by the Aiken County Legislative Delegation, including the Senator. Three of the members appointed shall be chosen from persons recommended by the Aiken County Mental Health Association; one member shall be appointed from persons recommended by the Aiken County Medical Association; one member shall be appointed from persons recommended by the Aiken County Board of Education; one member shall be appointed from persons recommended by the Aiken County Board of Public Welfare; three of the members shall be appointed from residents of the county at large.

SECTION 2. Meetings—officers.—The commission shall meet as soon after appointment as practicable and shall organize itself by electing one of its members as chairman and one of its members as secretary. It shall meet thereafter upon the call of the chairman or a majority of the members.

SECTION 3. Powers and duties.—The commission shall:

(1) Investigate the necessity, feasibility and desirability of establishing a program on mental health services in Aiken County.

(2) After taking into consideration the availability of local physical facilities and the availability of local financial resources, prepare as nearly as practicable a suitable budget and a plan or alternative plans for the establishment and operation of such program on mental health services in Aiken County on an immediate, intermediate and long-term basis.

(3) After the approval of such budget and plan by the legislative delegation, including the Senator, confer with the South Carolina Mental Health Commission for purpose of determining whether such budget and plan will be found eligible for a grant of State funds.

(4) Upon a finding of eligibility by the South Carolina Mental Health Commission, such fact shall be certified to the Aiken County Legislative Delegation; and the county commission may also recommend the appointment of an Aiken County Mental Health Board as provided in Section 32-1034.26 and related sections of the 1962 Code; to the end and for the purpose that there can be commenced in Aiken County a Mental Health Services Program in accord with the budget and plan submitted and approved as aforesaid.

SECTION 4. Appropriation.—There is hereby appropriated from the general fund of Aiken County the sum of five hundred dollars to be used by the commission for the payment of expenses incurred.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1319, H2488)

No. 1135

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Aiken County For The Fiscal Year Beginning July 1, 1964, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There shall be levied a tax upon all the taxable property of Aiken County for ordinary and special county purposes for the fiscal year beginning July 1, 1964, and ending June 30, 1965, sufficient to meet the amounts hereinafter appropriated, after deducting therefrom the estimated revenue accruing from sources other than the ordinary county taxes.

Item 1. Roads and bridges, including county shop, miscellaneous, office supplies and machinery	\$126,000.00
Salaries :	
Supervisor	6,600.00
Travel Expense of Supervisor	1,800.00
Three Commissioners @ \$2,700.00 each	8,100.00
Three Commissioners, Expenses \$1,200.00 each	3,600.00
Chief Clerk, base pay	3,785.00
Clerk, base pay	3,465.00
Superintendent of County Farm, base pay	3,340.00
One Machinist, base pay	3,920.00
Two Machinists (Assistant) @ \$3,565.00 each, base pay	7,130.00
Three Road Foremen @ \$3,340.00, base pay	10,020.00
Three Guards @ \$3,340.00, base pay	10,020.00
Two Tournapull Operators @ \$3,340.00 base pay	6,680.00
Six Road Patrols @ \$3,145.00, base pay	18,870.00
Permanent Depreciation Fund for replacement of machinery	20,000.00
Total, Item 1	\$233,330.00

Provided, that services of all equipment operators, when such machinery is under repairs, shall be used in other work at the direction of the commissioners and supervisor.

Provided, further, that the appropriation herein provided under Item 1, Section 1, or so much thereof as may be necessary after payment of salaries listed therein, shall be expended for the upkeep and maintenance of the roads and bridges of the county, convict camps, convicts, operation of the county farm, roadworking organizations and payment of all employees who may be engaged for such purposes.

Provided, further, that the supervisor shall have exclusive charge of the county farms and shall keep a record of the cost of operation thereof and all rents derived therefrom, and he shall have exclusive charge of the county convicts while they are confined in the county centralized camp and while they are engaged in work on the farms. The supervisor shall also have exclusive charge and supervision over the personnel necessary to be employed in the operation of the farm and management of the convict camp, with the right to hire and discharge any such employee. The employment of all guards of prisoners shall be with the approval of the county supervisor, and such guards shall be subject to his authority and control while on duty at the county centralized convict camp. The Supervisor shall inspect all roads and make the same reports required of the commissioners and cooperate with the commissioners in maintaining the roads so as to keep the same in good condition for public use. All monies received from rents and sale of commodities shall be turned over to the treasurer of the county monthly.

Provided, further, the commissioners shall supervise all county road work in their respective districts, and they shall make requisition to the

supervisor for such convicts from time to time as the needs of the roads in their respective districts may require; the commissioners shall be responsible for the convicts under their charge while at work, going to and returning from their work at camp. Each commissioner shall keep a daily record of roads worked, showing the location thereof, in their respective districts and the cost so performed. And, on Monday of each week, the commissioners shall file their report with the clerk of the county board, which reports shall be kept in the office of the board for inspection by the supervisor and the Legislative Delegation of Aiken County.

Provided, further, that upon vote of the commissioners and supervisor, as provided by law, the funds hereby appropriated and the county equipment may be distributed as needed, regardless of districts.

Item 2.	Clerk of Court, Salary	\$ 6,600.00
	Chief Clerk, base pay	3,785.00
	Clerk, base pay	3,465.00
	Assistant Clerk, base pay	3,125.00
	Six Clerk Aids @ \$3,015.00, base pay	18,090.00
	Supplies	8,500.00
	Total, Item 2	\$ 43,565.00

Provided, the position of one Clerk Aid is abolished when the next occupant of said position vacates same.

Item 3.	Sheriff's Salary	\$ 6,600.00
	Expenses, Sheriff	1,800.00
	Chief Deputy, base pay	4,400.00
	Ten Deputy Sheriffs @ \$4,200.00, base pay	42,000.00
	Telephone Expenses, Chief Deputy, Identification Officer, and ten Deputy Sheriffs, \$60.00 each	720.00
	Supplies, Identification Bureau	1,000.00
	Identification Officer, base pay	4,400.00

Car Maintenance, gasoline and oil of Deputy Sheriffs, if so much be needed 10,500.00

Provided, that all cars now owned by Aiken County be used only for official county or state business.

Uniforms for Chief Deputy, Identification Officer, and ten Deputy Sheriffs, to be purchased by Aiken County Commissioners 2,400.00

Provided, that any property owned by Aiken County, for the use of personnel of the Sheriff's office shall be issued to such personnel only upon memorandum receipt for same, specifying the date, individual receiving it, nature of the property being issued, including serial numbers, if any; and in the event such personnel, having been issued county property, should leave the service of the county for any reason whatsoever, such personnel shall not receive his final pay check until all county property issued such personnel shall have been turned in and receipt therefor issued.

Provided, that in the expenditure of this appropriation, the county commissioners and supervisor shall be responsible for the expenditures thereof and provide gasoline and maintenance of the automobiles.

Provided, further, that such county-owned motor vehicles shall be insured in such manner as to make the county blameless in the event of accident to such vehicle or other innocent person or persons.

Provided, further, no deputy sheriff shall accept employment for policing night clubs, dance halls or honky-tonks.

Clerk of Sheriff, base pay	3,785.00
Assistant Clerk, base pay	3,125.00
Expenses going after prisoners	1,250.00
Radio Technician	1,710.00
Radio Supplies	250.00
Supplies, Main Office	1,800.00

Expense Account Information	500.00
Car Expenses, Deputy Sheriffs, Graniteville— five @ \$102.50 per month	6,150.00
Car Expenses, Deputy Sheriffs, Gloverville- Langley-Bath-Clearwater area	3,000.00
One Deputy Sheriff, Montmorenci, base pay ...	1,525.00
Deputy Sheriffs, Gloverville-Langley-Bath- Clearwater area, base pay, three @ \$4,200.00 ..	12,600.00
Telephone Expenses, Deputy Sheriffs, Glover- ville-Langley-Bath-Clearwater area, three @ \$60.00	180.00
Uniform allowance, Deputy Sheriffs, Glover- ville-Langley-Bath-Clearwater area, three @ \$200.00	600.00
Deputy Sheriff, Beech Island-Jackson area, to be selected by Sheriff of Aiken County, base pay	4,200.00
Car Expense, Deputy Sheriff, Beech Island- Jackson area	1,500.00
Telephone, Deputy Sheriff, Beech Island-Jack- son area	60.00
Uniform allowance, Deputy Sheriff, Beech Is- land-Jackson area	200.00
Permanent Depreciation Fund for replacement of county-owned cars, to be expended on com- petitive bid basis through the office of the super- visor and county commissioners upon the recom- mendation of the Sheriff	3,000.00

Total, Item 3\$119,255.00

Item 4. Tax Collector:

Salary	\$ 6,200.00
Chief Clerk, base pay	3,785.00
Assistant Clerk, base pay	3,125.00
Property Record Clerk, base pay	1,275.00
Expenses of office, including gas, oil, books, etc.	2,250.00

Total, Item 4\$ 16,635.00

Provided, that total appropriations for this item
shall be paid from the collections made by the
Tax Collector, and any surplus existing there-

after shall be deposited to the credit of the General County Fund and the School Fund in the same proportion as the millage levied that fiscal year for each fund.

Item 5. County Jail:

Superintendent of Buildings, base pay	\$ 4,200.00
Telephone Expenses, Superintendent of Buildings	60.00
Three Jailers @ \$4,200.00, base pay	12,600.00
Telephone Expense, Jailers-three @ \$60.00 ...	180.00
Uniform Allowance, Jailers	600.00
Uniform Allowance, Superintendent of Buildings	200.00

Provided, that the jailers shall be appointed by the Sheriff and they shall be commissioned as deputy sheriffs. The Sheriff shall see to it that one of the jailers shall be at the jail at all times. The Superintendent of Buildings shall be appointed by the Supervisor and County Commissioners and shall be in charge of maintenance and upkeep of all county buildings and shall be in charge of the dieting of prisoners.

Jail Expenses, including dieting of prisoners ..	8,500.00
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Provided, that this fund of \$8,500.00, or so much thereof as may be necessary, is to be expended by the Superintendent of Buildings with the approval of the Supervisor in paying the actual expenses incurred in maintaining the jail and in dieting prisoners, and such expenses shall be paid by the Treasurer of Aiken County upon claims approved by the county commissioners and the supervisor. The Superintendent of Buildings, in operating and maintaining the jail, may employ such cook and other help as he deems necessary and he is authorized and empowered to use the services of persons serving sentence imposed by the courts. The commissioners and supervisors, when practicable, shall provide crops and meats grown and raised on

the County Farm in dieting and feeding the prisoners.

Total, Item 5\$ 26,340.00

Item 6. County Treasurer:

Salary\$ 2,560.00

Provided, that total salary appropriations from state and local funds shall not exceed the sum of \$6,600.00.

Chief Clerk, base pay 3,785.00

Assistant Clerk, base pay 3,125.00

Clerk Aid 3,015.00

Extra Clerical Help 3,000.00

Supplies and Miscellaneous 700.00

County Treasurer, travel 250.00

Mailing out tax notices, if so much be necessary 2,500.00

Total, Item 6\$ 18,935.00

Provided, that the Treasurer of Aiken County is authorized to make such arrangements as he sees fit with the S. P. C. A. with reference to dog tax; and he may accept such proof as he sees fit in lieu of certificates of inoculation. *Provided*, further, that on or before the tenth day of each calendar month the Treasurer of Aiken County shall furnish to each member of the Legislative Delegation and to the Supervisor a statement showing receipts and disbursements of all State, county and school funds for the preceding month, together with a statement showing the purposes for which cash balances are held, and showing the balance of funds on hand for ordinary county purposes. *Provided*, further, that notices be sent out to each taxpayer prior to October 1, 1964.

Item 7. County Auditor:

Salary\$ 2,560.00

Provided, that total salary appropriations from State and local funds shall not exceed the sum of \$6,600.00.

Chief Clerk and Deputy Auditor, base pay	3,785.00
Assistant Clerk, base pay	3,125.00
Three Clerk Aids @ \$3,015.00, base pay	9,045.00
Miscellaneous Supplies, and servicing machines	3,000.00
Board of Equalization	5,000.00
Auditor, travel	600.00
Deputy Auditor, travel	150.00
Extra clerical help, including assistance to municipalities and for preparing auto and boat registration	3,000.00

Total, Item 7 \$ 30,265.00

Provided, that members of the County Board of Equalization shall each receive as compensation for his services the sum of \$8.00 per day for the time actually engaged and five cents per mile for necessary travel.

Item 8. Adult Education:

Adult School Work	\$ 7,000.00
Special Services	1,000.00

Total, Item 8 \$ 8,000.00

Provided, that any balance of the adult school fund unused at the expiration of the fiscal year shall be carried forward and expended on order of the Supervisor and Adult Education.

Item 9. Coroner:

Salary	\$ 3,300.00
Telephone and Supplies	200.00
Expenses of Coroner	820.00
Stenographic Services, inquests, as needed	1,000.00

Total, Item 9 \$ 5,320.00

Item 10. Master:

Salary	\$ 6,200.00
Supplies and Maintenance	800.00
Clerk to Master, base pay	3,785.00
Expenses	600.00

Revolving Fund	400.00
One Clerk Aid @ \$3,015.00	3,015.00
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Total, Item 10	\$ 14,800.00
Item 11. County Service Officer:	
Salary	\$ 6,200.00
Clerk, Salary, base pay	3,015.00
Travel Expenses	1,000.00
Postage, stationery, equipment	500.00
<hr/>	
Total, Item 11	\$ 10,715.00
Item 12. Probate Judge:	
Salary	\$ 6,000.00
Chief Clerk, base pay	3,785.00
Clerk Aid, base pay	3,015.00
Supplies and new equipment, if so much be necessary	3,000.00
Expense money for handling insane persons ...	200.00
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Total, Item 12	\$ 16,000.00
Item 13. Magistrates and Constables:	
Magistrates:	
Aiken (District No. 1)	\$ 4,490.00
Expenses (Magistrate, District No. 1)	600.00
Windsor (District No. 3)	910.00
Salley (District No. 4)	1,225.00
Wagener (District No. 5)	1,225.00
Wards (District No. 6)	730.00
Oak Grove (District No. 7)	730.00
Langley (Districts Nos. 10 and 17)	2,915.00
Expenses (Districts Nos. 10 and 17)	600.00
Graniteville (Districts Nos. 8, 9, and 15)	2,915.00
Expenses (Districts Nos. 8, 9, and 15)	600.00
North Augusta (District No. 11)	1,915.00
Beech Island (District No. 12)	1,915.00
Talatha (District No. 13)	1,915.00
Jackson (District No. 14)	1,915.00
Clearwater (District No. 16)	1,915.00
Expenses (District No. 16)	600.00

Supplies for Magistrates	1,000.00
Constables:	
Aiken (District No. 1)	3,045.00
Expenses (District No. 1)	600.00
Windsor (District No. 3)	670.00
Salley (District No. 4)	670.00
Wagener (District No. 5)	910.00
Wards (District No. 6)	345.00
Oak Grove (District No. 7)	1,105.00
Graniteville (Districts Nos. 8, 9, and 15)	2,915.00
Expenses (Districts Nos. 8, 9, and 15)	600.00
Langley (Districts Nos. 10 and 17)	2,915.00
Expenses (Districts Nos. 10 and 17)	600.00
North Augusta (District No. 11)	1,700.00
Beech Island (District No. 12)	790.00
Talatha (District No. 13)	790.00
Jackson (District No. 14)	790.00
Clearwater (District No. 16)	1,875.00
Expenses (District No. 16)	600.00

Provided, that the Magistrate's Constable in the Clearwater District shall also serve as policeman for the community of Belvedere.

Provided, further, that the Magistrate's Constable at Oak Grove (District No. 7) shall also serve as policeman for Oak Grove-Monetta area.

Total, Item 13	\$ 49,035.00
Item 14. Department of Public Welfare:	
Director's Salary	\$ 500.00
Chairman of Board	840.00
Four Supervisors @ \$300.00	1,200.00
Vice-Chairman of Board	735.00
Sixteen Caseworkers @ \$240.00 each	3,840.00
Mileage, Welfare Workers	1,920.00
Six Stenographers @ \$180.00	1,080.00
Secretary of Board	735.00
Two Board Members	1,470.00
Emergency Drugs for indigent patients	3,500.00
Emergency Relief	2,500.00
Total, Item 14	\$ 18,320.00

Item 15. County Farm Agent:

Salary, County Agent	\$ 600.00
Salary, Assistant County Agent	300.00
Stenographer for Agent	525.00
Boys' 4-H Club Work	150.00
Contingent Fund for Agent	100.00

Total, Item 15\$ 1,675.00

Item 16. County Home Agent:

Salary	\$ 300.00
Stenographer for Agent and Assistant Agent ..	2,662.54
Contingent Fund for Agent	25.00
Girls' 4-H Club Work	150.00
Supplies, Home Demonstration Agent	150.00
Telephone, Home Demonstration Agent	200.00

Total, Item 16\$ 3,487.54

Item 17. Negro Farm and Home Agent:

Salary, Negro Home Demonstration Agent ...\$	777.00
Demonstration Supplies (Agriculture Agent and Home Demonstration Agent)	100.00
Salary, Negro County Agent	410.00
Negro County Agent, Office Rent, Heat and Lights	350.00
Negro 4-H Club Work (Boys and Girls)	200.00
Telephone	163.80
Clerical Assistance, Negro Farm and Home Agents	1,200.00

Total, Item 17\$ 3,200.80

Item 18. Jurors and Witnesses:

All expenses, if so much be necessary\$ 25,000.00

Provided, that witnesses for the State in criminal cases shall be paid at the rate of \$3.00 per day and five cents per mile travel; *provided*, further, that any variation from this amount for expert testimony shall be only upon written approval of the Circuit Solicitor; *provided*, that jurors in criminal cases in Magistrate Courts

which are impanelled and actually sworn shall be paid \$3.00 each upon certification of the trial magistrate to the County Supervisor.

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Total, Item 18		\$ 25,000.00
Item 19. County Health Department:		
Lump Sum Appropriation		\$ 62,900.00
D.D.T. Spraying Program		2,000.00
		<hr/>
Total, Item 19		\$ 64,900.00
<i>Provided</i> , that a final budget of combined county, State and Federal funds will be completed as soon after the first of July as possible, and a detailed itemization will then be submitted to the delegation and approved before any of the funds are spent.		
Item 20. Aiken County Hospital:		
All expenses		\$120,000.00
		<hr/>
Total, Item 20		\$120,000.00
Item 21. Post Mortems, Inquests and Lunacies:		
All expenses		\$ 1,000.00
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Total, Item 21		\$ 1,000.00
Item 22. Public Buildings:		
Water, fuel, lights and insurance:		
All expenses, if so much be needed		\$ 20,000.00
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Total, Item 22		\$ 20,000.00
Item 23. Court Stenographer for Second Judicial Circuit \$ 300.00		
Stenographer, Circuit Judge		600.00
Extra Clerical Help as needed—		
Magistrate, District No. 1, base pay		2,310.00
Salary, County Attorney		1,800.00
County Audit, to be expended by a majority of the Aiken County Legislative Delegation, including the Senator		3,000.00
<i>Provided</i> , that the person employed for the County Audit shall be so employed for the fiscal		

year commencing July 1, 1964, and ending June 30, 1965, and so far as is practicable he shall maintain a current audit.

Aiken County Library 62,000.00

Provided, that this appropriation shall be deemed to be tentative, and that the final appropriation for the Aiken County Library and all expenditures therefrom, shall be in accordance with a budget prepared by the Aiken County Library Board after taking into account the availability of all funds from all sources, including Federal, State, Aiken County, Edgefield County and Barnwell County; and *provided*, further, that such budget must be first approved by a majority of the Aiken County Legislative Delegation, including the Senator.

Vital Statistics 600.00

Premium on Officers' Bonds 1,250.00

Aiken Soil Conservation District:

Promotional Work and part-time secretarial help 2,000.00

Rent for Negro Soil Conservationist 240.00

County Officers' Retirement Fund 20,000.00

Expenses, Solicitor, including telephone at courthouse 1,000.00

Salary and Expenses, Assistant Solicitor, to be disbursed on authority of Solicitor 5,000.00

Court Crier and other attaches, \$14.00 per day for actual services during court sessions.

Assistant Clerk of Court, \$18.00 per day for actual work. *Provided*, that compensation for Court Crier and Assistant Clerk of Court and other court attaches shall be paid out of appropriation for Jurors and Witnesses.

Assistant Rabies Control Officer, Salary, base pay 4,200.00

Telephone for Rabies Office 60.00

Uniforms, Rabies Control 200.00

Expenses, truck, gas, etc., Rabies Control 800.00

South Carolina Industrial Commission Insurance, if so much be necessary 3,500.00

Expenses, County Forester	876.00
Supplement, County Forest Wardens, four @ \$50.00 per month	2,400.00
Supplement County Forest Tractor Operators, two @ \$25.00 per month	600.00
Supplement, County Forest Ranger, one @ \$30.00 per month	360.00
Expenses, Probation Officer @ \$35.00 per month	420.00
Aid to Warrenville Armory	1,000.00
Aid to Civil Air Patrol	350.00
Telephone, Corporal and Patrolmen, Highway Department	720.00
Sinking Fund Commission	3,000.00
Social Security	14,000.00
Insurance, Police Cars	1,661.86
Artificial Limb (¼)	500.00
Aiken County Historical Commission	800.00
Board of Registration	1,635.00
Publishing Voucher Reports	600.00
Total, Item 23	\$137,782.86
Item 24. Burial of Paupers	\$ 800.00
<i>Provided</i> , that contributions for such burial shall be limited to \$25.00 for children and \$50.00 for adults and that such disbursements shall be made by the supervisor only after written certifications that such persons are paupers have been filed in the office of the County Board, such certifications to be made by the Public Welfare Department or by affidavit made by the undertaker interring such deceased.	
Total, Item 24	\$ 800.00
Item 25. Aiken County Commission for Higher Education	\$ 18,000.00
Total, Item 25	\$ 18,000.00

- Item 26. Civil Defense Program, if so much be necessary \$ 6,000.00
Provided, that as soon as practicable after July 1, the Aiken County Director of Civil Defense shall prepare and submit for the approval of a majority of the Aiken County Delegation, including the Senator, a budget for the expenditure of the above amount and such Federal matching funds as are available, and no expenditure under this item shall be made except in accordance with such approved budget.

Total, Item 26\$ 6,000.00

GRAND TOTAL\$1,012,361.20

Provided, that beginning July 1, 1964, the amounts hereinbefore designated as base pay shall be increased as follows:

Any full-time employee of Aiken County, not to include magistrates, constables, elected officials or any employee whose base pay exceeds \$4,400-.00, who is entitled to receive as compensation for services rendered a salary designated hereinbefore as base pay, shall receive as additional compensation an amount equal to one per cent of said base pay for each year of full-time service as an employee of Aiken County up to a maximum of fourteen per cent for fourteen such years of service.

Provided, further, that in computing length of service for those employees of Aiken County engaged in law enforcement any and all prior service in law enforcement performed in Aiken County by such persons in the course of employment by the State of South Carolina or any political subdivision thereof, shall be considered as prior service performed while an employee of Aiken County.

Provided, further, that in computing length of service hereunder, any employee of Aiken County who shall have been an employee of Aiken

County at any time during the period from January 1, 1937, through December 31, 1948, and while Aiken County department heads were on a fee basis rather than on a salary basis, shall be entitled to credit for service performed during said period, upon the filing with the Supervisor and County Commissioners of a written, signed statement setting forth in such detail as shall be required by the Supervisor and County Commissioners, the dates and places of such employment, together with the general nature of duties performed.

Provided, that a majority of the Aiken County Legislative Delegation, including the Senator, may make changes or alterations in the terms of this act whenever in their judgment circumstances so justify; and

Provided, that a majority of the Aiken County Legislative Delegation, including the Senator, and a majority of the Board of County Commissioners may together by written authorization direct the transfer of any general fund monies in excess of the appropriations hereinbefore made from said General Fund of Aiken County for application to unforeseen emergency situations which might arise in connection with the conduct of the affairs of Aiken County.

Provided, all such written authorizations, whether heretofore or hereafter made, are hereby ratified, but such shall not be valid until a copy of same be filed with the clerk of court.

Provided, further, that no such written authorization providing for the expenditure of funds shall be made except in cases of emergency and then only in a meeting held by the entire delegation. *Provided*, no alterations of the act shall be made by anyone during the year 1964-1965 not herein expressly provided for, and any expenditures in excess of amounts herein provided, if made without the prior written approval of

a majority of the Aiken County Delegation, including the Senator, shall be the personal responsibility of the department head concerned, and shall *ipso facto* constitute sufficient cause for the removal from office, with forfeiture of pay, of such department head.

Provided, that all department heads shall comply with the requisition system which has been instituted by the County Board in connection with the purchase of supplies and equipment and no such purchase made without compliance herewith shall be paid for by the County Board.

Less Estimated Revenue other than Taxes:

Delinquent Taxes from Tax Collector	\$ 55,000.00
Fines, Licenses, Fees and Miscellaneous	136,000.00
Gasoline Tax	215,000.00
Insurance License Fees	55,000.00
Alcoholic Liquor Tax	59,000.00
Beer and Wine Tax	15,000.00
Income Tax	75,000.00
Bank and Broker's Tax	6,000.00
County Service Officer	5,850.00
Tax Collector's Cost	3,500.00

Total Revenue Other Than Taxes\$625,350.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R741, S558)

No. 1136

An Act To Amend Act No. 445 Of 1963, Relating To The Borrowing Of Money By Allendale County For General County Purposes, So As To Increase The Amount Which May Be Borrowed.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Allendale County may borrow money.—Section 1 of Act No. 445 of 1963 is amended by striking the word “twenty-five”

on line three and inserting the word "ninety-five" so that, when so amended, Section 1 shall read as follows:

"Section 1. The Governing Body and Treasurer of Allendale County are authorized to borrow one hundred ninety-five thousand dollars for general county purposes. The amount borrowed shall be evidenced by a note to be executed by the Chairman of the Governing Body and the Treasurer of Allendale County. The note shall bear interest not to exceed four per cent per annum and shall be paid in such installments as may be agreed upon by the borrowers and lenders. The borrowers reserve the right to anticipate the payment of part or all of the loan on any annual installment date."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R956, H2402)

No. 1137

An Act To Authorize The Board Of Directors Of The Allendale County Hospital To Borrow Fifty Thousand Dollars For Nursing Home Purposes And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Allendale County Hospital may borrow money.—The Board of Directors of the Allendale County Hospital is authorized to borrow fifty thousand dollars for the purpose of constructing and equipping a nursing home. The loan shall be evidenced by a note to be executed by the chairman of the board and the treasurer of the county and shall be payable in five equal, successive, annual installments with interest thereon at a rate to be agreed upon between the lender and the borrower, not to exceed four per cent.

SECTION 2. Payment.—For the payment of the note the auditor shall levy, and the treasurer shall collect, an annual tax on all the taxable property of Allendale County sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should the monies be borrowed from the Division of Sinking Funds and Property and should there be default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R993, S749)

No. 1138

An Act To Authorize The State Highway Department And The South Carolina Wildlife Resources Department To Enter Into An Agreement For The Construction Of Roads and Recreation Facilities In Allendale County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Highway Department and Wildlife Resources Department may make agreement to construct roads and recreation facilities in Allendale County.—The State Highway Department and the South Carolina Wildlife Resources Department are authorized to enter into a cooperative agreement for the construction of access roads and recreation facilities in Allendale County.

The agreement may provide for the State Highway Department to prepare the necessary plans; provide construction engineering and inspection; and award the necessary construction contracts, subject to the written approval of the South Carolina Wildlife Resources Department. All such contracts shall provide for payments for work performed to be made by the South Carolina Wildlife Resources Department from its funds. Upon completion of the construction work, the State Highway Department shall reimburse the South Carolina Wildlife Resources Department out of Farm-to-Market Construction Funds apportioned to Allendale County not exceeding the actual cost of constructing any such secondary roads, or one-half the total cost of the project provided for in the cooperative agreement, whichever is lesser. The State Highway Department shall pay from its

Farm-to-Market Construction Funds apportioned to Allendale County the cost of engineering and inspection. The roads shall become a part of the State Highway Secondary System upon their completion.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1275, S836)

No. 1139

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution Of This State, Limiting The Bonded Indebtedness Of Political Subdivisions, So As To Remove Allendale County From The Provision Designated As (8) Relating To The Bonded Indebtedness Limit For Certain Purposes In Allendale And McCormick Counties, And To Permit Allendale County To Incur Bonded Indebtedness In An Amount Not Exceeding Fifteen Per Cent Of The Assessed Value Of All Taxable Property Within The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Allendale County.—It is proposed that Section 5 of Article X of the Constitution of this State be amended by deleting Allendale County from the provision designated as (8), so that when amended the provision shall read as follows:

“(8) *Provided*, That the limitations imposed by Section 5, Article X, of the Constitution of the State of South Carolina, shall not apply to the bonded indebtedness of McCormick County, when the proceeds of such bonds are applied exclusively for the building of a courthouse or jail, or for building, improving, or repairing public highways and bridges, nor shall the limitations of this Constitution, as contained in Section 5, Article X, apply to any township, school district, municipal corporation or other political subdivision of the county, when the proceeds of such bonds are used for the purpose hereinabove named: *Provided*, The question of incurring such bonded indebtedness is submitted to the qualified electors of the county and

a majority of those voting in such election shall vote in favor thereof; but neither the county nor any township, school district, municipal corporation or other political subdivision of the county shall be authorized to incur a bonded indebtedness exceeding fifteen per cent of the assessed value of all the taxable property therein."

It is also proposed that Section 5 of Article X of the Constitution of this State be further amended by adding at the end of the section the following:

"() *Provided*, further, That the limitations as to bonded indebtedness imposed by this section shall not apply to Allendale County, and that the county may incur bonded indebtedness to an amount not exceeding fifteen per cent of the assessed value of taxable property therein."

SECTION 2. Submission to electors.—The proposed amendments shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed thereon: "Shall Section 5 of Article X of the Constitution of this State be amended so as to delete Allendale County from that provision designated as (8), which permits the Counties of Allendale and McCormick to incur bonded indebtedness not exceeding fifteen per cent for certain purposes?

In favor of the amendment ☐

Opposed to the amendment ☐

Shall Section 5 of Article X of the Constitution of this State be amended so as to permit Allendale County to incur bonded indebtedness in an amount not exceeding fifteen per cent of the assessed value of all taxable property therein?

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendments shall deposit a ballot with a check or cross mark in the squares after the words 'In favor of the amendment', and those voting against the amendments shall deposit a ballot with a check or cross mark in the squares after the words 'Opposed to the amendment'."

Ratified the 21st day of April, 1964.

(R1323, H2553)

No. 1140

An Act To Provide For The Levy Of Taxes For Allendale County For School And County Purposes For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965; To Provide For The Expenditure Thereof; To Provide For The Amount Of Fees And Expenses To Be Allowed For County Offices; To Provide For The Fees To Be Charged By The Clerk Of Court; And To Provide For The Disposition Of Revenue To Be Derived From Current Levies, Contributions, Revenues, Forfeited Land And Delinquent Tax Executions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The County Auditor of Allendale County is hereby directed to levy a tax upon all the taxable property of Allendale County for the fiscal year 1964-1965 in a sufficient number of mills to provide for the payment of the items and expenditures hereafter set forth.

SECTION 2. The following amounts are hereby appropriated for the fiscal year 1964-1965 :

(A) Roads and Bridges :

- | | |
|--|--------------|
| (1) Chain Gang and maintenance of road work,
salary of guard, material, lumber, and all ex-
penses, repairs of roads and bridges | \$ 21,000.00 |
|--|--------------|

21,000.00

(B) Salaries :

- | | |
|-----------------------------|----------|
| (1) Clerk of Court | 1,995.00 |
| (2) Sheriff | 7,680.00 |
| Deputy Sheriff | 5,610.00 |
| Police Radio Operator | 630.00 |

Provided, that the Deputy Sheriff shall be appointed by the Sheriff and shall serve at the pleasure of the Sheriff. *Provided*, that the salary and other compensation herein fixed for the Sheriff's office is intended for and shall be in lieu of all fees to which he is entitled under the law from the county for any and all services performed by him of whatever nature or kind. In the event he travels out of

the county by way of train, plane or bus, he shall be allowed actual train, plane or bus fare, and actual cost of meals and lodging.

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|----------------------------|----------|
| (3) Treasurer | 1,995.00 |
| (4) Auditor | 1,995.00 |
| (5) Judge of Probate | 1,995.00 |

Provided, that the salary for the Judge of Probate is in lieu of all fees to which he is entitled under the law from the county.

- | | |
|---|----------|
| (6) Superintendent of Education—E x p e n s e s,
1964-1965 | 1,260.00 |
|---|----------|

Provided, that the county board of directors is hereby directed to transfer in a lump sum the appropriation for the county superintendent's office to the county board of education fund. The purpose of this transfer is to put the county superintendent's salary and expenses on the school payroll rather than the county payroll.

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|-----------------------------|--------|
| (7) Attorney—retainer | 600.00 |
|-----------------------------|--------|

Provided, the county attorney shall advise the tax collector, when called on, in all matters pertaining to the collection of delinquent taxes.

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|-------------------|--------|
| (8) Coroner | 700.00 |
|-------------------|--------|

Provided, that the salary herein provided for coroner shall be in lieu of all fees to which he is entitled from the county for any service whatsoever.

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|---|----------|
| (9) Tax Collector—salary and expenses | 2,400.00 |
| (10) Courthouse Stenographer—salary | 3,030.00 |
| (11) Janitor for Courthouse and Memorial Building | 1,650.00 |

\$ 31,540.00

(C) County Health Department:

- | | |
|---|-----------|
| (1) Expenses, County Health Nurse | \$ 360.00 |
| (2) Operating expenses | 3,224.00 |
| (3) T. B. Inspection Work | 400.00 |

\$ 3,984.00

(D) Magistrates and Constables:

Magistrates:

Allendale and Bull Pond	\$ 1,300.00
Fairfax	1,300.00
Baldock Township	650.00
Millette Township	650.00
Wilson Township	650.00
Sycamore Township	650.00

Constables:

Allendale and Bull Pond	1,000.00
Fairfax	1,000.00
Millette Township	325.00
Baldock Township	325.00
Wilson Township	275.00
Sycamore Township	275.00

\$ 8,400.00

Provided, the salaries herein appropriated for magistrates and constables are in lieu of all fees payable by the county to which they, or either of them, be entitled; *provided*, further, magistrates and constables shall give bonds in the sum of five hundred dollars, conditioned upon the faithful performance of their duties.

(E) County Boards:

(1) Board of Equalization	\$ 300.00
(2) County Board of Directors, four at thirty-five dollars per month	1,680.00
Clerk to County Board of Directors—salary ..	4,000.00

Provided, that the person filling the above position shall be required to give a surety bond in the sum of one thousand dollars, premium on same to be paid by the county.

\$ 5,980.00

(F) Jail:

(1) Expenses, dieting of prisoners and maintenance	\$ 9,500.00
(2) Jailor, salary	1,600.00

\$ 11,100.00

(G) Court Expenses:

(1) Jurors and witnesses, and Sheriff's fee for notice	\$ 1,200.00
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	\$ 1,200.00

(H) Department of Public Welfare, if so much be necessary	\$ 1,500.00
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	\$ 1,500.00

(I) Public Buildings, including water, fuel, light and insurance, if so much be necessary	\$ 6,000.00
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	\$ 6,000.00

(J) Printing, Postage and Stationery, Telephone and Telegraph	\$ 6,000.00
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	\$ 6,000.00

(K) County Hospital, if so much be necessary	\$ 10,000.00
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	\$ 10,000.00

(L) Miscellaneous:

(1) Vital Statistics	\$ 280.00
(2) Publishing Monthly Report	300.00
(3) Rent, Government Farm Office	180.00
(4) Premium on bonds, including constables	700.00
(5) Post mortems, Inquests and Lunacies	800.00
(6) Regional Library	2,738.16
(7) Fairfax Library	450.00
(8) County Library	800.00
(9) Girls'-Women's Short Courses	75.00
(10) Boys' 4-H Club	75.00
(11) Expenses, Home and County Demonstration Agent	150.00
(12) Clerk to Home Demonstration Agent—salary	1,800.00
(14) Attendance Teacher Scholarship Fund	100.00
(15) Office Expense, County Farm Agent	150.00
(16) Expenses, Home Demonstration Agent (colored)	480.00
(17) Retirement Contribution, Social Security and Police Retirement and Annuity	4,500.00

(18) Expenses, County Farm Agents	900.00
(19) Workmen's Compensation and Liability Insurance	700.00
(20) Service Officer, Office Expense	400.00
(21) Civil Defense	5,000.00
(22) Janitorial Supplies	300.00
(23) Allendale County Development Board	3,000.00
	<hr/>
	\$ 23,878.16
(M) National Guard, if so much be necessary, as follows:	
(1) Maintenance	\$ 2,000.00
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	\$ 2,000.00
(N) Audit of county funds, including Magistrates ...	\$ 1,550.00
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	\$ 1,550.00
(O) Contingent Fund	\$ 9,500.00
<i>Provided, that all expenditures from the contingent fund shall be subject to the written approval of the legislative delegation.</i>	
	<hr/>
	\$ 9,500.00
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GRAND TOTAL	\$143,632.16
LESS ESTIMATED REVENUE OTHER THAN TAXES:	
Commutation Road Tax	\$ 2,000.00
Fines and Licenses	16,500.00
Income Tax	15,500.00
Gasoline Tax	52,869.00
Ordinary Levy	1,000.00
Liquor Tax	8,000.00
Beer and Wines	2,000.00
Insurance, Bank and Miscellaneous	4,200.00
Cost of Tax Executions	1,000.00
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Total Estimated Revenue	\$103,069.00
	<hr/>
Amount to be raised by Taxation	\$ 40,563.16

SECTION 3. The amount of commutation tax which shall hereafter be levied in Allendale County shall be the sum of two dollars per person subject to such tax. Persons actually in the armed service of the country shall, during such service, be exempt from payment of such road tax.

SECTION 4. The costs and expenses of the levy, advertising and sale of lands heretofore or hereafter purchased by the Forfeited Land Commission, under tax sale, shall be paid by the treasurer on warrants of the county board, approved by the county delegation, out of any funds available therefor; *provided*, that the proceeds of the sale of lands sold by the Forfeited Land Commission shall be chargeable with all such costs and expenses, and, if such claims are paid from funds not so realized, then all amounts paid from the general county fund shall be replaced from sales of land when made by the Forfeited Land Commission.

SECTION 5. The sums hereinabove appropriated shall be used only if so much be necessary as to each item hereinabove provided for; *provided*, that any unexpended balance of any appropriation for any particular item may be applied to any other item, or items, for which the amount appropriated is insufficient, or may be used for such other expenditures as shall be approved in writing by the legislative delegation.

SECTION 6. In anticipation of the collection of taxes herein provided for, the county board of directors and the treasurer, with the approval of the legislative delegation, are authorized and empowered to borrow on the credit of the county such sums as are necessary to carry out the provisions of this act, and to pledge current taxes in payment therefor. Such obligations shall be signed by the treasurer and the chairman of the county board of directors, attested by the clerk of such board.

SECTION 7. The sheriff is authorized to empower such trusty convict labor as he may deem desirable in the care and maintenance of the county jail and premises. The county board of directors is hereby authorized to repay all municipalities of the county for chain gang labor received through the courts of such municipalities by work of the county chain gang upon the streets and drainage of the municipalities. *Provided*, that such municipalities shall pay for the dieting of all prisoners while so engaged in work upon the streets

or drainage of such municipalities, and shall be liable for any damage to persons or property caused by the use of such convict labor and machinery, and the county shall not in any way be responsible for such damage.

SECTION 8. Whenever it shall be necessary to meet the expenses of foreclosing of any real estate mortgage owned by or pledged with the county, or to buy in such property on behalf of the county, the payment of such expense shall be made from the contingent fund, or other available funds, and the rents received from such property shall be carried to the general county fund, or restored to the contingent fund, in the discretion of the legislative delegation. Such property may be sold by the county board on the written approval of the legislative delegation, the proceeds of sale to be applied to such account or placed in such fund as the legislative delegation may direct, or as provided in Section 4 of this act.

SECTION 9. The legislative delegation is hereby granted full power and authority to appropriate such additional sums as in its discretion may be deemed necessary for any purpose not herein provided.

SECTION 10. The fee that may be charged for the Clerk of Court for Allendale County for the recording, filing, indexing, and/or registering of any mortgage or other instrument conveying a lien on crops growing or to be grown and/or personal property and made to any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation, or the Government of the United States or any department, agency, instrumentality, or officer thereof, shall be one dollar (\$1.00); *provided*, that a copy or duplicate of such instruments be furnished to the recording officer. Allendale County is specifically excepted from the provisions of Sections 27-60, 27-61, 27-66, 60-2, and 60-303, of the 1962 Code; *provided*, further, that in addition to the fee hereinabove fixed for recording chattel mortgages, the Clerk of Court for Allendale County may charge an additional fee of twenty-five cents (25¢), when he is required to search the records before recording any such mortgage.

Provided, further, that notwithstanding Section 27-52 of the 1962 Code, in Allendale County the Clerk of Court shall receive for recording deeds without dower a fee of \$2.00; deeds with dower a fee of \$2.25; chattel mortgages a fee of \$1.50; and chattel mortgages with assignment a fee of \$2.00.

SECTION 11. All supplies of every kind and nature needed by the county officers and employees of Allendale County shall be purchased by the purchasing agent of the county. Supplies purchased in violation of the provisions of this act shall be the liability of the individual so purchasing, and shall not be the liability of the county.

SECTION 12. It shall be unlawful for the County Directors of Allendale County to issue any voucher for the salary of any officer herein provided for before the end of the month that such officer is entitled to receive such salary. All salaries are to be paid on a monthly basis.

SECTION 13. Before the county directors shall issue a voucher to any magistrate of Allendale County for his salary, such magistrate shall present his docket to the county board of directors, showing the disposition of all cases handled by him during each month, and also present to the county directors a receipt or receipts from the county treasurer for all fines imposed by the magistrate.

SECTION 14. The Forfeited Land Commission of Allendale County is hereby authorized, empowered and directed to rent all property owned and held by the Forfeited Land Commission of Allendale County and pay the proceeds of all rents so collected to the county treasurer in accordance with the provisions of law now existing, and no fees shall be charged for such services by the Forfeited Land Commission nor by the tax collector.

SECTION 15. The sums herein appropriated as compensation for the county board of directors shall be in lieu of any expense which they incur in inspection of the various county roads, which inspections shall be made semimonthly by the directors.

SECTION 16. Of the amount appropriated as salaries for municipal law enforcement officers and county law enforcement officers in Allendale County, the sum of five dollars per day for each such officer is hereby designated as subsistence for each day of active duty from July 1, 1957.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R733, S540)

No. 1141

An Act To Direct The Governing Body Of Anderson County To Borrow Not To Exceed The Sum Of Two Hundred Twenty-five Thousand Dollars For County Purposes And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Anderson County may borrow money.—The governing body of Anderson County is hereby authorized to borrow and the Division of Sinking Funds and Property is authorized to lend to Anderson County, in accordance with the provisions thereof, a sum not to exceed two hundred twenty-five thousand dollars for county purposes. The loan shall be evidenced by notes to be executed by the chairman of the board and attested by the clerk of the board, and shall be payable within a period of five years, with the first payment to be made in January of 1965; and the notes shall bear such rates of interest as may be agreed upon between the lender and the governing body of the county.

SECTION 2. Payment.—The notes shall be paid, with interest, from the general fund of the county as they become due. To secure the payment of the notes, the full faith, credit and taxing power of Anderson County are irrevocably pledged. The Auditor of Anderson County is directed to levy, and the Treasurer of Anderson County to collect, an annual tax upon all of the taxable property of the county sufficient to retire the loan and interest due thereon. In the event that any note, with interest, shall not be paid when due, the State Treasurer is hereby directed to withhold any funds due Anderson County and to apply such funds to the payment of the notes, with interest.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1964.

(R749, H2017)

No. 1142**An Act To Authorize The Anderson County Board Of Commissioners To Lease Ten Acres Of County-Owned Property To The State Of South Carolina For A National Guard Armory.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson County may lease property for National Guard Armory.—In consideration of the sum of one dollar, the Anderson County Board of Commissioners is authorized to lease ten acres of land to the State of South Carolina for a period of fifty years for National Guard Armory purposes.

SECTION 2. Description of property.—The property to be leased is ten acres of the County Farm property having the following description :

All that certain piece, parcel or tract of land situate, lying and being in Centerville Township, Anderson County, South Carolina, and being bounded on the north by lands of the County Jail, on the east by a paved county road, south by a proposed road separating this property from the estate lands of J. Earle Watson, and on the west by lands of the County Farm. The tract is more fully described in the plat made by Robinson Engineering Service, dated January 27, 1964, to be recorded in the office of the Clerk of Court for Anderson County.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R773, S612)

No. 1143**An Act To Authorize The Dismantling Of The Old Anderson County Jail And To Repeal Act No. 447 Of 1963, Relating To The Sale Of The Old Jail.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson County may dismantle old jail.—The County Board of Commissioners and County Supervisor of Anderson County are hereby authorized to dismantle the old abandoned

Anderson County Jail. All salvaged equipment or materials shall be saved or sold, whichever is to the best interest of the county; *provided*, that as many jail blocks as the sheriff may need for the new jail shall be turned over to him and any remaining jail blocks shall be disposed of as provided above. The jail shall be dismantled by May 1, 1964. After the dismantling of the jail, the lot shall be graded and used for the parking of motor vehicles.

SECTION 2. Act 447 of 1963 repealed.—Act No. 447 of 1963 is repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R804, H2202)

No. 1144

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit School District No. 5 Of Anderson County To Incur Bonded Indebtedness Up To Sixteen Per Cent Of The Assessed Value Of The Taxable Property Therein, And To Exclude Such Indebtedness From The Limitation Of Aggregate Indebtedness Upon Any Territory In The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of School District 5 of Anderson County.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: add at the end of the section the following proviso: "*Provided*, that the limitations as to bonded indebtedness imposed by this section shall not apply to the bonded indebtedness of School District No. 5 of Anderson County and the school district may incur bonded debt to the extent of not exceeding sixteen per cent of the assessed value of all taxable property therein. Bonded debt incurred by School District No. 5 of Anderson County within the sixteen per cent limitation herein created shall not affect or limit the power of other political subdivisions or municipal

corporations, covering or extending over any portion of the territory of the school district, to incur bonded indebtedness.”

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: “Shall Section 5 of Article X of the Constitution of this State be amended so as to permit School District No. 5 of Anderson County to increase its bonded indebtedness up to sixteen per cent of the assessed value of the taxable property therein and to exclude such indebtedness from the limitation of aggregate indebtedness upon any territory in the county?”

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of the amendment,’ and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to the amendment’.”

Ratified the 25th day of February, 1964.

(R838, H2257)

No. 1145

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution, Relating To The Limit Of Bonded Indebtedness Of Certain Political Sub-Divisions, So As To Permit School District No. 1 Of Anderson County To Incur Bonded Indebtedness Up To Sixteen Per Cent Of The Assessed Value Of The Taxable Property Therein, And To Exclude Such Indebtedness From The Limitation Of Aggregate Indebtedness Upon Any Territory In The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Anderson County School District 1.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: add at the end of the section the following proviso: “*Provided*, that the limitations

as to bonded indebtedness imposed by this section shall not apply to the bonded indebtedness of School District No. 1 of Anderson County and the school district may incur bonded debt to the extent of not exceeding sixteen per cent of the assessed value of all taxable property therein. Bonded debt incurred by School District No. 1 of Anderson County within the sixteen per cent limitation herein created shall not affect or limit the power of other political subdivisions or municipal corporations, covering or extending over any portion of the territory of the school district, to incur bonded indebtedness."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State be amended so as to permit School District No. 1 of Anderson County to increase its bonded indebtedness up to sixteen per cent of the assessed value of the taxable property therein and to exclude such indebtedness from the limitation of aggregate indebtedness upon any territory in the county?"

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment,' and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

Ratified the 3rd day of March, 1964.

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit School District No. 2 Of Anderson County To Incur Bonded Indebtedness Up To Sixteen Per Cent Of The Assessed Value Of The Taxable Property Therein, And To Exclude Such

**Indebtedness From The Limitation Of Aggregate Indebtedness
Upon Any Territory In The County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Anderson County School District 2.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: add at the end of the section the following proviso: “*Provided*, that the limitations as to bonded indebtedness imposed by this section shall not apply to the bonded indebtedness of School District No. 2 of Anderson County and the school district may incur bonded debt to the extent of not exceeding sixteen per cent of the assessed value of all taxable property therein. Bonded debt incurred by School District No. 2 of Anderson County within the sixteen per cent limitation herein created shall not affect or limit the power of other political subdivisions or municipal corporations, covering or extending over any portion of the territory of the school district, to incur bonded indebtedness.”

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: “Shall Section 5 of Article X of the Constitution of this State be amended so as to permit School District No. 2 of Anderson County to increase its bonded indebtedness up to sixteen per cent of the assessed value of the taxable property therein and to exclude such indebtedness from the limitation of aggregate indebtedness upon any territory in the county?”

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of the amendment,’ and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to the amendment.’”

Ratified the 3rd day of March, 1964.

(R936, H2399)

No. 1147

An Act To Validate Certain Expenditures Made By Anderson County For County Purposes During The Fiscal Years 1962-63 And 1963-64.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson County expenditures validated.—The following sums which have been expended by Anderson County for county purposes upon approval of the county legislative delegation, during the fiscal years 1962-63 and 1963-64, are hereby validated and declared to be legal in all respects.

1962-1963

DATE	NAME	AMOUNT
10-18-62	Marshall Hill—Deputy	\$ 97.00
11-16-62	E. L. Griffin	5,365.17
12- 3-62	Coroner's Travel	249.48
12- 4-62	Tri-Co. Mental Health	10,000.00
12- 7-62	Nov. General Election	1,650.46
12- 7-62	Filing Cabinet—Probation Office	241.36
12-10-62	Stenographer—Youth Counselor	1,296.00
12-10-62	Youth Counselor—Travel Dec.	120.00
12-10-62	Refrigerator—Civil Defense	140.00
12-10-62	Typewriter—Youth Counselor	415.86
12-10-62	Youth Counselor—Additional Salary	300.00
12-10-62	Youth Counselor—Additional Phone	23.50
12-10-62	Donald Owen—Service Ballot Boxes	100.00
12-10-62	Adjustment Coroner's Salary	168.41
12-10-62	Supplies—Secty. Delegation	50.00
12-10-62	Typewriter—Clerk of Court	385.50
12-11-62	Alan Inc.	1,000.00
12-27-62	Additional Travel—Sheriff	1,100.00
1- 2-63	Supervisor—Additional Travel	18.50
1- 2-63	Travel-Brd. of Comm. 2nd quarter	295.19
1- 3-63	Tape Recorder—Coroner's Office	360.00
1- 3-63	Employers Contribution S. C. Retirement	17,250.00
1- 4-63	Additional Clerk—Delinquent Tax Office	1,296.00
1- 4-63	Sheriff—Decals and 3 sirens	138.88
1- 8-63	Anderson County Plan. & Dev. Brd.	16,000.00
1-16-63	School of Nursing	300,000.00

DATE	NAME	AMOUNT
1-25-63	Radios—Police Cars—Belton, S. C.	2,185.66
1-26-63	Tape Recorder—Charles Aiken, C. R.	350.00
1-30-63	Anderson Daily Mail—New South Edition ..	600.00
1-30-63	Negro Farm & Home Agent—Telephone	200.00
2- 5-63	Anderson County Civil Defense	2,500.00
2-19-63	Anderson County Health Dept.	5,000.00
2-26-63	Additional Salary—Fingerprint Deputy	300.00
2-26-63	Transfer General Funds to Contingent	25,000.00
2-26-63	S. A. Banister—Mag. Salary	242.00
2-26-63	Additional for Public Offices Fund	12,000.00
2-27-63	Additional Travel—Coroner	400.00
3-27-63	City of Belton—Paving Parking Lot	600.00
4- 4-63	Additional Travel—Brd. of Comm.	495.00
4- 4-63	Additional Travel—Sheriff	2,275.00
4-19-63	John Smith—Probation Officer (Service Youth Counselor)	150.00
4-19-63	Additional pay, 6 jailors	600.00
4-26-63	Needs Foster Children	200.00
4-26-63	Dept. Public Welfare—Additional Tel. & Tel.	376.00
5-17-63	Tsf. General Fund to Contingent Fund	25,000.00
5-17-63	County Home—Additional	7,500.00
5-17-63	Public Buildings—Additional	5,000.00
5-17-63	Jail Expense—Additional	3,800.00
5-17-63	Home Agents—Telephone & Supplies	75.00
5-17-63	Negro Farm & Home Agents—Telephone ...	50.00
5-17-63	Additional—Youth Counselor Travel	75.00
5-21-63	Adjustment—Secty. of Delegation Salary ...	100.00
5-21-63	Tri-Co-Tech. Education Center	1,000.00
6- 5-63	Anderson County—Plan & Dev. Brd.	18,500.00
6-18-63	Salary—Coroner's Secty.	122.32
6-19-63	Probation Office—Typewriter	338.39
6-24-63	Coroner's Office—Furniture	275.00
	Tsf. from General Fund to Contingent Fund ..	25,000.00
Totals for 1962-63		\$498,370.68
1963-1964		
7- 1-63	Uniform Allowance—Sheriff's Deputy	\$ 4,200.00
7- 1-63	Coroner's Secty.	2,934.68
7- 1-63	Rent for Quarters—Supt. Ed. & Service Office	3,600.00

DATE	NAME	AMOUNT
7- 1-63	Additional Salary—Donald Owens	300.00
7- 1-63	Additional—Steno. Youth Counselor	2,592.00
7-17-63	Typewriter—Service Officer	338.39
7-17-63	Salary Supplement—Welfare Dept.	366.07
8- 6-63	Deputy at Piedmont—Additional Salary	1,092.00
8- 6-63	Deputy at Orr Mill—Additional Salary	1,092.00
8-20-63	Air Conditioner—Probation Office	175.00
8- 6-63	Travel—2 Deputies, Civil Papers @ 7 cents a mile est.	2,300.00
8- 6-63	James Wallace—Deputy—Bloodhound Travel	35.00
8-30-63	Adapters for Youth Counselor Office	100.00
9-26-63	Typewriter—Negro Farm Agent	406.95
10- 2-63	Radio Equipment & Installation	9,152.18
10- 2-63	Typing Machine—Auditor's Office	13,184.00
10-18-63	Kenneth Shore—Deputy	85.00
11- 7-63	Sheriff's Office—Ammunition	249.52
11- 7-63	Sheriff's Office—Five Guns	339.12
11- 7-63	Sheriff's Office—Five Riot Gun Holder	143.73
11- 7-63	Clerk of Court—Hot Water Heater 2 drinking fts.	349.45
12- 4-63	Welfare Dept.	141.82
12-13-63	S. C. Road Officials Assn. Advt. S. C. Digest	150.00
12-18-63	James Wallace—Deputy—Bloodhound Travel	45.24
1- 7-64	Anderson County Airport Comm.	30,000.00
1-20-64	Adding Machine, Typewriter, Magistrate Page's Office	395.78
2- 6-64	Assistant Youth Counselor Salary Supplement	681.00
2- 6-64	Probation Office Mimeograph Machine and file	477.92
2- 6-64	Anderson Daily Mail—Advt. New South	600.00
2- 6-64	Anderson County Welfare Dept. Supplemental Salaries	1,585.87
2- 6-64	Anderson County Welfare Dept. Child Welfare Mileage	510.00
Totals for 1963-64		\$ 77,622.72

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R1305, H2534)

No. 1148

An Act To Make Appropriations For The Operating Expenses Of Anderson County For The Fiscal Year 1964-1965, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of sufficient mills to pay the appropriations for Anderson County hereafter made for the fiscal year beginning July 1, 1964, and ending June 30, 1965, after crediting against the appropriation all other revenue anticipated to accrue to the county during the fiscal year is hereby levied upon all the taxable property of Anderson County. The amount of millage shall be determined by the county auditor and approved by a majority of the Anderson County Legislative Delegation, including the Senator.

SECTION 2. There is hereby appropriated for Anderson County for the fiscal year beginning July 1, 1964, and ending June 30, 1965, the following sums of money to be expended for the purposes herein set forth, subject to the provisions contained in this act, in amounts as follows :

ITEM A. Convicts, roads, bridges and improvements ..\$420,000.00

Total, Item A\$420,000.00

ITEM B. Public Buildings:

(1) Salary of Courthouse Janitor\$ 3,375.00

(2) Utilities, maintenance supplies and property
insurance 32,500.00

Total, Item B\$ 35,875.00

ITEM C. County Jail:

(1) Jailors, 3 @ \$4,472.00 each and 3 @ \$3,852.00
each\$ 24,972.00

(2) Jail expense 15,000.00

Provided, the Sheriff shall file with the clerk of the county board on the first day of each calendar month duly itemized and sworn statement giving the names of each prisoner and each day.

(3) Matron	3,155.00
(4) Cook	3,471.00
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Total, Item C	\$ 46,598.00
ITEM D. Probate Judge:	
(1) Probate Judge	\$ 6,700.00
(2) Clerk	4,515.00
(3) Assistant Clerk	2,966.00
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Total, Item D	\$ 14,181.00
ITEM E. Public Offices:	
(1) Books, stationery, insurance, etc.	\$ 32,500.00
(2) Workmen's Compensation Insurance	4,000.00
(3) Retirement for county employees	35,000.00
(4) Social Security	20,000.00
(5) Exchange charges	200.00
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Total, Item E	\$ 91,700.00
ITEM F. Education:	
Superintendent of Education	\$ 1,650.00
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Total, Item F	\$ 1,650.00
ITEM G. County Health Department	
	\$ 85,000.00
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Total, Item G	\$ 85,000.00
ITEM H. Clerk of Court:	
(1) Clerk	\$ 6,700.00
(2) Chief Deputy Clerk	4,515.00
(3) Clerks—3 @ \$3,575.00 and 3 @ \$3,142.00 ..	20,151.00
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Total, Item H	\$ 31,366.00
ITEM I. Sheriff's Office:	
(1) Sheriff	\$ 6,700.00
(2) Special Deputy	5,115.00
(3) Twelve Deputies @ \$4,472.00 each	53,664.00
(4) Travel expense	16,000.00
(5) Two Deputies to serve criminal papers @ \$4,472.00 each	8,944.00

(6) Two Deputies to serve civil papers @ \$4,472.00 each	8,944.00
(7) Clerical help	3,100.00
(8) Miscellaneous	1,000.00
(9) Radio Engineer's salary	1,908.00
(10) Radio Maintenance	4,000.00
(11) Travel for deputies serving papers	3,000.00

Total, Item I\$112,375.00

ITEM J. Treasurer's office:

(1) Treasurer	\$ 2,660.00
(2) Assistant Bookkeeper	3,575.00
(3) Bookkeeper	4,800.00
(4) Two Clerks @ \$3,142.00 each	6,284.00

Total, Item J\$ 17,319.00

ITEM K. Auditor's Office:

(1) Auditor	\$ 2,660.00
(2) Travel	100.00
(3) Clerks: 1 @ \$4,800.00; 1 @ \$3,575.00; and 3 @ \$3,142.00 each	17,801.00
(4) County Board of Equalization	6,420.00

Total, Item K\$ 26,981.00

ITEM L. Tax Collector's Office:

(1) Tax Collector	\$ 4,515.00
(2) Deputy	3,531.00
(3) Travel for Tax Collector—Field Work	400.00
(4) Clerks—2 @ \$2,966.00 each	5,932.00

Total, Item L\$ 14,378.00

ITEM M. Supervisor's Office:

(1) Supervisor	\$ 6,700.00
(2) Stenographer	3,142.00
(3) County Commissioners—(5 @ \$1,200.00 each)	6,000.00
(4) Travel for Commissioners (\$50.00 per month)	3,000.00

(5) Clerk	4,800.00
(6) County Engineer	4,515.00

Total, Item M \$ 28,157.00

ITEM N. Judicial:

(1) County Attorney	\$ 1,605.00
(2) Coroner—Salary	3,142.00
Secretary to Coroner (also other departments, if necessary)	3,142.00
Travel	1,200.00

Total Coroner \$ 9,089.00

(3) Magistrates:	
Frances Prince, or successor, Anderson ...	\$ 3,350.00
Ferris Page, or successor, Anderson	3,350.00
W. P. Kay, or successor, Belton	1,359.00
Max Hunt, or successor, Townville	765.00
J. W. Holliday, or successor, Pendleton	1,359.00
George Page, or successor, Honea Path	1,000.00
Edward Poore, or successor, Williamston ...	1,000.00
Wydman Holliday, or successor, Pelzer	765.00
R. W. Allen, or successor, Piedmont	899.00
D. L. Young, or successor, Iva	620.00
S. A. Bannister, or successor, Starr	1,000.00

Total, Magistrates \$ 15,467.00

(4) Constables—2 at Piedmont, 3 at Pelzer, 1 at Riverside-Toxaway, 1 at Starr and 1 at Orr Mill, @ \$1,168.00 each	9,344.00
(5) Court expenses	35,000.00
(6) Solicitor's Office—10th Judicial Circuit:	
a. Solicitor—expense allowance	300.00
b. Secretary—salary	2,966.00

Total, Solicitor \$ 3,266.00

(7) Juvenile Relations:	
a. Youth Counselor, salary	\$ 4,800.00
b. Travel allowance	1,500.00
c. Assistant Youth Counselor	4,472.00

d. Travel allowance	1,200.00
e. Two Clerks @ \$2,966.00 each	5,932.00
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Total, Juvenile Relations	\$ 17,904.00
(8) Parole Office Secretary—Supplemental	\$ 256.00
(9) County Court:	
a. County Judge, salary	\$ 12,500.00
b. Stenographer	3,142.00
c. Court expenses	10,000.00
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Total, County Court	\$ 25,642.00
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Total, Item N	\$117,573.00

ITEM O. Agriculture:

(1) County Agent's Office:	
a. County Agent—salary	\$ 1,070.00
b. Assistant County Agent	292.00
c. County Agent, Secretary	1,465.00
d. Assistant Home Agent	3,349.00
e. Home Agent, Secretary	1,031.00
f. Negro Farm Agent	1,214.00
g. Negro Home Agent	1,530.00
h. Negro Home and Farm Agents—secretary	2,966.00
i. County Agent, telephone and supplies	550.00
j. Home Agent, telephone and supplies	350.00
k. 4-H Club Boys' Camp	150.00
l. 4-H Club Girls' Camp	150.00
m. F. F. A. Camp	100.00
n. J. H. A. Camp	100.00
o. Negro Farm and Home Agents—telephone and supplies	300.00
p. Negro 4-H Club Boys' Camp	150.00
q. Negro 4-H Club Girls' Camp	125.00
r. Free Breeding, 4-H and FFA Clubs	1,000.00
s. F. A. Foundation	300.00
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Total, Item O	\$ 16,192.00

ITEM P. Health and Welfare: . . .

(1) County Physician	\$ 3,403.00
(2) Birth and Death Registration (Mrs. King, <i>et al.</i>)	1,300.00
(3) Welfare Department:	
a. Supplemental Salaries	8,736.00
b. Emergency Relief Fund	2,000.00
c. Child Welfare Worker—travel	1,440.00
d. Foster Children Fund	500.00
e. Welfare Board, per diem	720.00
f. Telephone and telegraph	1,500.00
g. Mental Health Clinic	10,000.00
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Total, Welfare	\$ 24,896.00
(4) Charity—Anderson County Charity Fund	36,000.00
(5) Anderson County Tuberculosis	1,200.00
(6) Salvation Army	1,200.00
(7) County Home	30,000.00
(8) Transportation to State Hospital	1,350.00
(9) Post Mortems and Lunacies	1,500.00
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Total, Item P	\$100,849.00

ITEM Q. Miscellaneous:

(1) Legislative Secretary	\$ 535.00
a. Postage	50.00
(2) Anderson Soil Conservation District	1,200.00
(3) Service Officer—Supplemental	1,117.00
(4) Annual Audit of County Books	1,200.00
(5) Broadway Lake Commission	13,000.00
(6) National Guard Units:	
a. Battery D 6th ADA Bn. (Sp) 118th CAR, or successor	750.00
b. Hq. and Hq. Battery 6th ADA Bn. (Sp.) 118th CAR, or successor	150.00
c. 116th Signal Company Sub-Div. (William- ston) or successor	750.00
d. 116th Signal Company (Belton) or suc- cessor	750.00
(Total, National Guard—\$3,000.00)	
(7) Planning and Development Board	5,000.00

(8) Civil Defense	5,000.00
(9) Tri-County Technical Education Training Center	13,350.00
(10) Geographical Survey	2,500.00
(11) Retirement of loans from Sinking Fund	54,000.00
(12) Rent, Education Department	3,600.00
(13) Anderson Safety Commission	500.00
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Total, Item Q	\$104,052.00
ITEM R. Contingent Fund	\$ 50,000.00
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Total, Item R	\$ 50,000.00
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GRAND TOTAL	\$1,314,246.00
ITEM S. Revenue other than property taxes (esti- mated) :	
Magistrates' Fines and Costs	\$ 70,000.00
Clerk of Court, Fines and Costs	55,000.00
Fees, Auditor	850.00
Fees, Probate Judge	7,000.00
Fees, Sheriff	6,000.00
Fees, Supervisor	4,500.00
Delinquent Tax, Fees, Costs and Penalties ..	30,000.00
Gasoline Tax	310,926.00
State Income Tax	110,000.00
Insurance Licenses and Fees	85,000.00
Beer, Wine and Liquor Tax	110,970.00
Bank Tax	13,000.00
Rents	4,000.00
Miscellaneous Income	12,000.00
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Total, Item S	\$819,246.00
Estimated Assessed Valuation taxable prop- erty for 1964-65—\$45,000,000.00.	
County levy of eleven mills, tax income	\$495,000.00
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Estimated income for 1964-1965	\$1,314,246.00

SECTION 3. The accounts as set forth in Section 2 shall be subject to the following provisos:

ITEM A. From this account the county board of commissioners is authorized to pay to the supervisor the estimated expenses of the supervisor's travel in the performance of his necessary duties in the supervision of roads and convicts, not to exceed twelve hundred dollars, in accordance with the terms of Section 4 of this act.

No employee paid from this account shall receive more than three hundred twenty-six dollars per month, except that the captain of the white stockade, one captain of the Negro stockade and the superintendent of the county home shall not receive more than three hundred ninety-four dollars per month. All employees not specifically listed shall receive a seven per cent raise.

All truck insurance shall be paid from this account.

The money received from the State gasoline refund tax shall be applied to the appropriation in this item.

The county board of commissioners is hereby authorized to maintain two trash or disposal dumps in each of the five county districts. The expense of operating these waste dumps shall be paid from the appropriation in Section 2, Item A.

All appropriations made in this act for travel, official expense, salary or any road or street improvement shall be paid on vouchers properly probated. However, the so paid monthly expenses shall not exceed a sum equal to one-twelfth of the annual amount appropriated, except upon written authorization of a majority of the legislative delegation, including the Senator.

ITEM B. (2) Unless specifically provided elsewhere in this act, the county shall pay for telephone service only on telephones installed in the public offices in the courthouse, the county jail, the homes of seventeen deputy sheriffs, the homes of the South Carolina Highway Patrolmen stationed and working in Anderson County, the homes of six jailors and the sheriff, with their telephones listed in their names, the vault of the clerk of court's office, the county home, one at each convict camp, one in the home of the coroner, one in the office used by the State Tax Commission, one in the office of the Registration Board, one each for three probation officers, one for the Youth Counselor, one for the Assistant Youth Counselor, one for County Repair Shop, one for Sergeant of White Convict Camp and one for Sergeant at Negro Convict Camp, and it shall not pay for extension telephones at such places, and shall not pay for any long distance calls other than those personally authorized by the Supervisor or the Sheriff. *Provided*, that the supervisor and the board of commissioners shall

pay five dollars per month for a telephone in the homes of the jailor, deputy sheriffs and highway patrolmen working in Anderson County.

ITEM C. (2) From this account the Sheriff of Anderson County shall pay only the actual operating expense of the county jail and the dieting of prisoners. and no part of this fund shall be used to supplement any salaries and such expense shall be paid by the Anderson County Treasurer upon claims approved by the Supervisor of Anderson County. *Provided*, that any charges made in compromising a case or any meals served to a federal prisoner shall be at the maximum rate prescribed by law; and *provided*, further, that the sheriff is authorized to spend an amount not to exceed five dollars and mileage in any one case for the dusting and photographing of fingerprints.

ITEM E. (1) From this account the supervisor or other proper county officer is hereby authorized to pay the premium on the official bonds required of the thirteen deputy sheriffs of Anderson County, and of the four deputies to serve magistrates in the City of Anderson, the jailor, and the clerks in the office of the county treasurer and tax collector. The supervisor or other proper county officer is authorized to pay the premiums on burglary or theft insurance from funds in the custody of the Treasurer of Anderson County.

The county quarterly report, as provided by law, shall be printed in a newspaper of Anderson County and the expense therefor shall be paid from this account. A complete report shall be filed with the clerk of court which shall be available to the general public.

ITEM I. (6) The officers holding these positions shall charge the same fees as now provided by law and shall make monthly reports thereof to the Treasurer of Anderson County through the office of the sheriff, and deposit such collected fees with the treasurer, who shall place the money in the General Fund of Anderson County.

ITEM K. (4) From this account the county supervisor is hereby directed to pay the members of the Township Board of Assessors immediately upon completion of their work being certified to by the county auditor.

ITEM N. (3) The fees to be collected by any officer of Anderson County for the County General Fund shall be as follows: Distress for Rent, \$2.00; Rule to Show Cause in Ejectment, \$1.00; Warrant of Ejectment, \$1.00; Summons for Debt, including transportation and judgment, \$1.00; Attachment, \$3.00; Claim and Delivery, \$2.00; all warrants settled by magistrates, \$2.00, except warrants settled for

bad checks, \$10.00, plus seven cents per mile round trip and jail fees of \$1.00 per day while in jail. The magistrates' fees shall remain the same.

Item N. (4) From this account the supervisor and board of county commissioners are hereby authorized to pay eight Anderson County Deputy Sheriffs, three at Pelzer, two at Piedmont, one at Riverside-Toxaway, one at Starr and one at Orr Mill the sum of \$1,168.00 per year.

ITEM N. (5) From the sum appropriated under Item N (5), designated as 'Court Expenses' there shall be paid unto the grand jurors, petit jurors and bailiffs in circuit court the sum of eight dollars per day. Grand jurors and petit jurors shall, in addition to the aforesaid sum, receive ten cents per mile for one round trip from their home to the Anderson County Courthouse for the term for which they are drawn to serve, and all witnesses appearing in any criminal case under subpoena for attendance thereat, required by South Carolina law to be paid, shall receive the sum of one dollar per day and mileage as is hereinabove fixed for the jurors. In the Special Magistrate's Court, pay for jurors and witnesses shall be at the rate of three dollars per day and pay for two stenographers shall not exceed the sum of two hundred sixty-two dollars per month each. Pay for the jurors in ordinary magistrate's court of Anderson County shall be two dollars per day. The jurors and bailiffs in Anderson County court shall receive the same pay as the jurors and bailiffs in the circuit court.

For services as jurors in the coroner's inquests each person so drawn and who serves shall receive compensation in the sum of two dollars for each inquest, to be paid out of this account.

ITEM O. (1)—r. This account it to provide for one free breeding for any member of the Anderson County 4-H Club or Anderson County Future Farmers of America.

ITEM P. (2) This account shall be used to pay the various registrars in Anderson County the sum of twenty-five cents each for each birth or death reported, and also registrar shall receive the sum of twenty-eight dollars and thirty-six cents, to be paid in semiannual installments of fourteen dollars and eighteen cents.

ITEM P. (3) —b. This account shall be paid to the County Welfare Department and the treasurer is hereby directed to pay over to the County Public Welfare Department the entire sum of twelve

hundred dollars. At the end of each quarter, the Department of Public Welfare shall file a statement of the expenditure of this fund with the county supervisor, in duplicate.

ITEM P. (4) The funds appropriated under Section P (4) shall be expended upon the approval of a majority of the Anderson County Board of Welfare, which board is hereby designated the Anderson County Hospital Charity Certification Office. All proceeds received from accounts previously paid out of charity funds shall be deposited with the Treasurer of Anderson County, and such funds shall be added to the amounts appropriated under this section and expended in like manner as the original appropriations.

ITEM P. (9) From this account the supervisor and board of county commissioners are hereby authorized and directed to pay the costs of post mortems and lunacy examinations at the rate of pay provided by contract and approved by the supervisor. Payment herein provided for shall be made upon the certification by the coroner as to post mortems and by the probate judge as to lunacy examinations.

ITEM Q. (4) This account shall be expended under the authorization of a majority of the county legislative delegation, including the Senator.

ITEM Q. (5) From the sum appropriated, the members of the commission shall receive twenty dollars per diem for attending meetings of the commission, not exceeding more than one meeting per month.

Provided, that the county supervisor is authorized and directed to clear the beaches of all debris once a year at low water at his convenience.

Provided, the funds for the Broadway Lake Commission shall come from the collection of boat property taxes and, if this is not sufficient, from the General Fund.

Provided, further, there shall be no boat registration license fees charged for the launching of boats on Broadway Lake.

ITEM Q. (7) The amount appropriated under this item is to be used for stationery, postage, and supplies and other purposes.

ITEM R. These funds shall be used solely for payments of such sums and for such purposes as may be directed by a majority of the Anderson County Legislative Delegation, including the Senator. This may be used during the fiscal year 1964-1965.

SECTION 4. Upon the estreating of any bond and upon the payment adjudged against the bondsmen being paid to the Clerk of Anderson County, before judgment is entered up in judgment roll, then in such event the clerk is authorized to enter collection of the amount in his fine books and it shall not be necessary for the clerk to enter up judgment in customary judgment roll. However, he shall file the papers connected with the estreating of the bond, along with the warrant, etc., in the case in which such bond was given.

SECTION 5. All salaries set out in this act are intended as the annual salary of the person designated and are to be paid upon a bimonthly basis of twenty-four installments, to be paid on the fifteenth and last day of each month for such time as such person shall be in actual service in their respective positions. All other items herein are to be expended upon approximately a monthly basis unless such expenditure is inconsistent with the purpose of the appropriation, but in no event shall a deficit be allowed in any appropriation made herein.

SECTION 6. The supervisor and county board of commissioners are hereby authorized and directed to equitably distribute road and highway improvements throughout Anderson County, including the incorporated municipalities therein, so that every section of the county shall receive work and improvement on roads, highways and streets in the different localities of the entire county.

SECTION 7. It is hereby provided that no new highway or road or street shall be opened in Anderson County at the county's expense unless the opening of the highway, road or street is approved in writing by a majority of the county board of commissioners, including the supervisor, and they are hereby prohibited from opening any new street for private development, and no streets or roads shall be opened or improved except for the general public.

SECTION 8. All monies appropriated and designated herein shall be for the purposes designated and any transfer of funds shall be approved by the Anderson County Legislative Delegation.

SECTION 9. Any funds now in the hands of the Treasurer of Anderson County, not heretofore or hereby designated to be used for some specified purpose, shall be held by the Treasurer of Anderson County in a fund to be known as the Anderson County Fund. Also, any funds coming into the hands of the county treasurer from any source provided by this act, not herein appropriated for some par-

ticular purpose, shall, at the close of the fiscal year covered by this act, be added to the Anderson County Fund as provided for in this section. The Anderson County Fund shall not be used for any purpose except upon the written authorization of the Senator of Anderson County and at least one-half of the members of the House of Representatives of Anderson County; *provided*, however, that this section shall not apply to the Anderson County Health Department.

SECTION 10. All purchases by any county department shall have a purchase order by the department head.

SECTION 11. All salaries paid partly by the State and partly by the county to constitutional officers shall not exceed a total of six thousand seven hundred dollars per year.

SECTION 12. There is hereby levied on all taxable property of Anderson County a tax of $1\frac{1}{2}$ mills, the proceeds of which shall be used for school purposes for the fiscal year 1964-1965, by the county board of education, subject to the following provisions:

(1) An amount not greater than the revenue from the levy of one-half mill shall be distributed to the school districts on a per pupil basis for free textbooks for pupils certified by their teachers as being unable to pay for same.

(2) Fifteen thousand dollars shall be distributed to the school districts on a per pupil basis for free lunches for pupils certified by their teachers as being unable to pay for same.

(3) Nine thousand dollars shall be distributed to the school districts on an equal basis for music instruction in the public schools.

(4) Five thousand dollars shall be distributed to the school districts on an adult class per pupil basis to help pay the cost of an adult education program as approved by the county board of education.

The county board of education is authorized and directed to employ qualified personnel to fill the following positions in the office of the county superintendent of education:

- (1) Secretary to Superintendent of Education
- (2) Supervisor of School Bus Transportation
- (3) Supervisor of School Lunch Program
- (4) Supervisor of School Attendance
- (5) Secretary to Supervisor of School Lunch Program

Such personnel shall be paid salaries in amounts within the discretion of the county board of education. Employees who must use their automobiles in the official performance of their duties shall be

paid actual mileage at the rate of nine cents per mile. The county superintendent of education shall be paid mileage at the rate of nine cents per mile.

Members of the county board of education, including the clerk, shall receive ten dollars per diem for each regular monthly meeting attended. Members of the boards of trustees of the several school districts of Anderson County shall receive ten dollars per diem for each monthly meeting attended, such funds to be paid by the respective school districts from current operating funds.

All materials and supplies used by the county board of education and in the office of the county superintendent of education shall be bought and paid for through the office of the county supervisor and the board of county commissioners as are the materials and supplies of other offices of Anderson County.

The appropriations made in this section are for the benefit of the public schools in Anderson County. Funds collected under provisions of this section not above allocated or the expenditure herein provided for shall be used in the payment of such public school costs in Anderson County as the county board of education may deem necessary. The acceptance by the county board of education of any portion of the funds appropriated in this section shall be construed as a relinquishment of any right of that board and of any of the schools in the county to receive any portion of any fines imposed for violation of the criminal laws.

It is hereby made a part of the duties of the county superintendent of education of Anderson County to prepare and submit to the board of trustees of each school district in Anderson County a detailed statement at the end of the fiscal year showing all receipts, and from what source derived, all expenditures and to what account charged to the respective districts. This report shall set forth the amounts of any funds left on hand by each of the districts, together with any outstanding indebtedness and the status of the same.

An annual audit of all funds accruing to the county board of education under this section shall be rendered to the Anderson County Legislative Delegation at the same time that the annual audit is made, and a copy of same shall be filed in the office of the clerk of Court.

All fines, penalties and fees from current and delinquent taxes shall go into the General Fund of Anderson County.

SECTION 13. If any word, clause, sentence or section of this act be declared unconstitutional, such shall not affect any other word, clause, sentence or section hereof.

SECTION 14. All funds received from the Anderson County Court for the transcripts shall be deposited with the county treasurer.

SECTION 15. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R778, H2143)

No. 1149

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution Of This State, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions So As To Increase The Limit In Bamberg County School District No. 2.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Bamberg County School District 2.—It is hereby proposed that the ninety-second paragraph of Section 5 of Article X of the Constitution of this State shall be amended to read as follows:

“Provided, that the limitations as to bonded indebtedness imposed by this section shall not apply to Bamberg County School Districts Nos. 1 and 3, and that these districts may incur bonded indebtedness for school purposes to an amount not exceeding ten per cent of the assessed valuation of all taxable property therein; provided, further, Bamberg County School District No. 2 may incur bonded indebtedness for school purposes to an amount not exceeding twenty-five per cent of the assessed valuation of all taxable property therein.”

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: “Shall the ninety-second paragraph of Section 5 of Article X of the Constitution of this State be amended so as to increase the limit of the

bonded indebtedness which may be incurred in Bamberg County School District No. 2 from ten per cent to twenty-five per cent?

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment,' and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment.' "

Ratified the 18th day of February, 1964.

(R1276, S837)

No. 1150

An Act Removing A Portion Of Brabham Street In The Town Of Bamberg From The State Highway System And Authorizing Its Closing And Conveyance.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Portion of Brabham Street in Town of Bamberg removed from highway system.—That portion of Brabham Street in the Town of Bamberg lying north of Church Street and extending to the property line of R. G. Smith's Red and White Store for a distance of approximately three hundred fifty-three feet is hereby removed from the State Highway System.

SECTION 2. Closing of.—The Town Council of the Town of Bamberg is authorized to close that portion of Brabham Street described in Section 1, and to convey all right, title and interest of the town to the Bamberg Textile Mills, Inc., or such other manufacturing establishment as may be designated by the Town Council. All actions on the part of the Town of Bamberg shall be taken by authority of an ordinance duly passed by the Town Council.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1365, H2643)

No. 1151

An Act To Provide For The Levy Of Taxes For County Purposes In Bamberg County For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965, And For The Expenditure Thereof; To Fix The Compensation Of Certain Officers; To Validate Certain Disbursements, Expenditures And Actions During The Fiscal Year 1963-1964; And Otherwise Relating To The Fiscal Affairs Of Bamberg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The Auditor of Bamberg County is hereby directed to levy a tax of five mills on all of the taxable property in Bamberg County, the proceeds thereof to be turned over to the trustees of Bamberg County Memorial Hospital to be used by them in supplementing other revenue received from the trustees in operating the hospital during the fiscal year beginning July 1, 1964 and ending June 30, 1965. In the event that the funds are not needed for this purpose during the fiscal year ending June 30, 1965, then the funds are to be held by the Treasurer of Bamberg County until they are needed for such purposes.

The trustees of the hospital are authorized to refer all cases requesting hospital assistance to the Department of Public Welfare of Bamberg County, and the Department of Public Welfare is authorized and directed to investigate and make recommendations as to all such cases.

SECTION 2. The Auditor of Bamberg County is hereby directed to levy a tax on all of the taxable property in Bamberg County for ordinary county purposes for the fiscal year beginning July 1, 1964, and ending June 30, 1965, the revenue derived from such tax and other funds to be expended in the amounts and for the purposes hereinafter stated :

Item 1. Roads and Bridges:

Convicts and maintenance of roadworking organization; materials used in and for general operating expenses of plant for manufacturing of concrete bridge materials; also for purchasing new road machinery, trucks, equipment and repairs, if so much be necessary	\$ 30,000.00
Mechanic at county prison	2,709.00

Foreman at county prison	2,457.00
Guard at county prison	1,260.00
Guard at county prison	1,008.00
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Total, Item 1	\$ 37,434.00
The Supervisor shall deliver to each member of the legislative delegation, on or before the tenth day of each month, an itemized statement showing the amount of each disbursement made during the preceding month, to whom paid, and for what the voucher was issued.	
Item 2. Clerk of Court's Office:	
Salary of Clerk	\$ 2,640.00
Clerical help	861.00
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Total, Item 2	\$ 3,501.00
Item 3. Judge of Probate's Office:	
Salary of Judge of Probate and Acting Master	\$2,640.00
Clerical help	861.00
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Total, Item 3	\$ 3,501.00
In addition to the amount appropriated herein for the salary of the Clerk of Court and the Judge of Probate, they shall also retain all fees collected by their respective offices, as now provided by law. <i>Provided</i> , the fee for each lunacy examination shall be \$10.00.	
Item 4. Auditor's Office:	
Salary of Auditor, \$5,240.40 less \$4,040.40 contributed by the State	\$ 1,200.00
Clerical help	861.00
Travel expense	300.00
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Total, Item 4	\$ 2,361.00
Item 5. Treasurer's Office:	
Salary of Treasurer, \$5,240.40 less \$4,040.40 contributed by the State	\$ 1,200.00
Clerical help	861.00
Travel expense	200.00
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Total, Item 5	\$ 2,261.00

Item 6. Sheriff's Office:

Salary of Sheriff	\$ 4,490.00
Deputy Sheriff (one)	3,800.00
Office Clerk	2,340.00
<i>Provided, that the deputy shall also act as constable for the Magistrate at Bamberg.</i>	
Travel subsistence allowance—\$750.00 for the Sheriff and Deputy Sheriff—to be paid on a monthly basis	1,500.00
Gas, oil and upkeep of two cars owned by county and used by the Sheriff and Deputy Sheriff, if so much be necessary	2,500.00
To purchase uniforms for Sheriff and Deputy Sheriff	400.00
To purchase photo supplies, ammunition, etc., if so much be necessary, by approved vouchers ..	300.00
For radio repair and service	300.00

Total, Item 6\$ 15,630.00

Item 7. Superintendent of Education's Office:

Salary of Superintendent of Education, \$5,240-.40, less \$5,059.98 paid by the State	\$ 190.42
Clerical help	861.00
For use of auto, maintenance and travel expense	618.00

Total, Item 7\$ 1,669.42

Item 8. Supervisor's Office:

Salary of Supervisor	\$ 3,340.00
Salary of Clerk	3,240.00
For use of auto, maintenance and travel expense ..	525.00
County Commissioners, two @ \$440.75 each ..	881.50

Total, Item 8\$ 7,986.50

Item 9. Coroner's Office:

Salary of Coroner	\$ 489.40
For traveling expense and stenographic fees for taking and transcribing testimony	120.00

Total, Item 9\$ 609.40

Item 10. Jail:

Salary of Jailor	\$ 1,260.00
Jail expenses, including dieting of prisoners, if so much be necessary; <i>provided</i> , that the jailor shall be allowed one dollar a day for each prisoner (any city prisoner to pay county two dollars turnkey, and one dollar a day for dieting)	4,000.00

Total, Item 10	\$ 5,260.00
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Item 11. Miscellaneous Salaries:

Attorney	\$ 466.40
Physician	466.40
Maid at Courthouse	764.00
Janitor at Courthouse	1,419.00
Clerical help, School Lunch Supervisor	954.45
Clerical help, Home Demonstration Agent's Office	600.00
Part Salary, Negro Home Demonstration Agent	720.00
Clerical help, Negro Farm and Home Demonstration Agents	900.00

Total, Item 11	\$ 6,290.25
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Item 12. County Boards:

Board of Education	\$ 400.00
Board of Equalization	600.00

Total, Item 12	\$ 1,000.00
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Item 13. For the purchase of furniture and equipment for the various county offices, if so much be necessary, with expenditures from this appropriation to be first approved by the legislative delegation

\$ 1,500.00

Total, Item 13	\$ 1,500.00
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Item 14. Court Expenses

\$4,320.00

Provided, that jurors and bailiffs shall be paid five dollars per day for services in attendance upon courts. The jury boy shall be paid three dollars per day for services in attendance upon courts. Jurors in magistrates' courts in criminal

cases and jurors in coroner's court one dollar per day, to be paid upon warrants of the magistrates or coroner. *Provided*, further, that out of the funds herein appropriated for Court Expenses, the Resident Circuit Judge is hereby authorized to use for stenographic services not to exceed the sum of \$820.00.

Total, Item 14\$ 4,320.00

Item 15. Magistrates' and Constables' Salaries:

Magistrate at Bamberg	\$ 2,240.00
Constable at Bamberg (Deputy Sheriff acts as Constable.)	
Magistrate at Denmark	1,120.00
Constable at Denmark	530.00
Magistrate at Olar	653.00
Constable at Olar	381.60
Magistrate at Ehrhardt	653.00
Constable at Ehrhardt	381.60
Magistrate at Fishpond Township	539.30
Constable at Fishpond Township	321.80

Provided, that if the magistrates for the Towns of Bamberg, Denmark, Olar and Ehrhardt do not live in the respective towns, they shall establish office hours in the towns on Saturdays, from 10 a. m., to 4 p. m., of each week, and be available during such time for official duties.

Total, Item 15\$ 6,820.30

Item 16. Welfare Department (State):

For Emergency Relief	\$ 1,000.00
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All cases receiving assistance from this fund to be approved by a majority of the board. *Provided*, that the director may approve cases needing immediate attention and in which suffering would result if assistance were delayed, but in such cases he shall make a full report showing the nature of the emergency and the amount given each recipient at the next meeting. A

monthly report of all expenditures shall be made to the legislative delegation.

Total, Item 16	\$ 1,000.00
Item 17. Public Buildings, including water, fuel, lights, telephone, insurance and purchase of cleaning materials and tools for building and grounds, and for repairs to county property	\$ 10,371.85
Total, Item 17	\$ 10,371.85
Item 18. Post Mortems, Inquests and Lunacies	\$ 650.00
Total, Item 18	\$ 650.00
Item 19. Printing, Postage and Stationery	\$ 3,500.00
<i>Provided</i> , that itemized bills for all expenditures out of this sum shall be filed with the county supervisor before payment is made. <i>Provided</i> , further, that the amount be apportioned to the various offices on approximately the same basis as heretofore used by these offices, and that no office or officer shall be allowed to use during the current year an amount in excess of the sum apportioned by the County Board.	
Total, Item 19	\$ 3,500.00
Item 20. County Health Department, if so much be necessary, the amount to be determined by the Bamberg County Legislative Delegation and the Bamberg County Health Department	\$ 10,536.30
For Rabies Control	100.00
Tuberculosis work in county	600.00
Total, Item 20	\$ 11,236.30
Item 21. Miscellaneous:	
(a) Vital Statistics	\$ 225.00
(b) Premium on Bonds	660.00
(c) For auditing county books for 1963-64	1,525.00
(d) Boys' 4-H Work	100.00
(e) Girls' 4-H Work and Women's 4-H Work ..	75.00

(f) Negro Boys' 4-H Work	75.00
(g) Negro Girls' and Women's 4-H Work	75.00
(h) Demonstration supplies for Home Agent	75.00
(i) Demonstration supplies and photographic material for Farm Agent, if so much be necessary	100.00
(j) Bamberg Public Library	3,750.00
(k) For Burial of Paupers	300.00
(l) Rent for Federal Projects and for county agencies, if so much be necessary	52.00
(m) To pay premium for Workmen's Compensation Insurance for county officials and employees, if so much be necessary	800.00
(n) For retirement of county officers and employees, if so much be necessary	1,980.00
(o) Social Security for county employees	2,560.00
(p) (1) For National Guard, to be expended upon vouchers approved by the Captain of the National Guard	1,500.00
(2) To purchase furniture and equipment for new National Guard Armory	500.00
(q) Edisto Soil Conservation District, to be used for farm work in Bamberg County	500.00
(r) To supplement salary of County Farm Demonstration Agent	500.00
(s) Colored County Farm Demonstration Agent ..	400.00
(t) Flowers and shrubbery for Bamberg County Hospital	100.00
(u) Janitor for Health Department and Welfare Department, and to care for Courthouse and Library grounds under supervision of Health Department	1,000.00
(v) Fertilizer and improvements for Courthouse and Library shrubbery	200.00
(w) Official expenses—Circuit Judge (to be paid upon warrant of Circuit Judge)	720.00
(x) To supplement salary of County Forest Fire Protection Unit Driver	180.00
(y) Demonstration supplies for Negro Home Agent	50.00
(z) To supplement salary of Assistant Farm Demonstration Agent	300.00

(aa) Employer Contribution—S. C. Police Retirement		1,000.00
(bb) To supplement salary of County Service Officer		240.00
(cc) To supplement salary of County Forest Ranger		240.00
Total, Item 21		\$ 19,782.00
Item 22. Contingent Fund		\$ 10,000.00
To be used only with the written approval of the Bamberg County Legislative Delegation.		
Total, Item 22		\$ 10,000.00
Item 23. Bamberg County Planning and Development Board, to be paid upon vouchers approved by the chairman and secretary, if so much be necessary		\$ 500.00
Total, Item 23		\$ 500.00
Item 24. For annual expenses, maintenance and operation of the J. C. Kearse Agriculture Building, if so much be necessary		\$ 4,000.00
<i>Provided</i> , that all Federal agencies with offices located in such building shall pay to the General Fund of Bamberg County their proportionate share of the above cost, based on a square footage occupancy.		
Total, Item 24		\$ 4,000.00
Item 25. Tax Collector		\$ 1,890.00
<i>Provided</i> , that the supervisor shall not disburse any amounts, including salaries, under this item unless the report has been filed for the preceding month.		
Clerical help		1,200.00
<i>Provided</i> , that all taxes other than merchants' and corporation taxes due the county prior to and including taxes for the year 1958 shall be collected, nulla bona, or levied upon by the Tax Collector of Bamberg County on or before November 1, 1964.		

Provided, further, that all merchants' and corporation taxes due the county prior to and including taxes for the year 1963 shall be collected, nulla bona, or levied upon by the Tax Collector of Bamberg County on or before November 1, 1964.

Total, Item 25	\$ 3,090.00
Item 26. Civil Defense	\$ 2,032.50
Total, Item 26	\$ 2,032.50
Item 27. Maintenance, Denmark Auxiliary Health Center	\$ 100.00
Total, Item 27	\$ 100.00
Item 28. Pest Control Service	\$ 420.00
Total, Item 28	\$ 420.00
GRAND TOTAL	\$166,826.52
Estimated Revenue:	
Fines and Licenses	\$ 18,000.00
Commutation Road Tax	2,000.00
Gasoline Tax (one cent)	58,000.00
Insurance Licenses	11,000.00
Liquor Taxes	17,000.00
Beer and Wine Tax	4,500.00
Execution Fees	2,500.00
Income Tax	23,000.00
Bank Tax	3,000.00
Diversion from Hospital Millage	5,000.00
Miscellaneous	4,000.00
Total, Estimated Revenue	\$148,000.00
Amount to be raised by taxation	\$ 18,826.52

SECTION 3. The appropriation made under the foregoing section for the office of Sheriff and office of Treasurer of Bamberg County is intended to be full compensation for their respective services. *Pro-*

vided, that all mileage and docketing fees shall be turned over to the Treasurer and placed in the Sheriff's auto maintenance and traveling expenses fund. *Provided*, further, that mileage shall be nine cents per mile and per diem ten dollars.

SECTION 4. No charge shall be made by the auditor for entries upon the books of his office of any transfer of real estate by deed or other written instruments.

SECTION 5. The commutation road tax shall be considered as a part of the revenue of the county for road purposes, and is not to be expended in addition to the amount appropriated in Item 1 of this act.

SECTION 6. The amounts provided for herein for the several purposes shall be expended for the purpose stated and none other, and any unexpended balance in hand at the expiration of the fiscal year shall revert to the general fund of the county.

SECTION 7. Should there be any deficit in any Item of the 1963-1964 appropriations act, or should any deficit occur in any item under the provisions of this act, the county treasurer is hereby authorized and directed to transfer any surplus appearing in any account to any deficit appearing in any other account; and if the surpluses from such items are insufficient to cover the deficits, then there is hereby appropriated out of the General Fund of Bamberg County a sufficient amount to cover such deficits, provided the payment of same has been authorized in writing by the Bamberg County Legislative Delegation.

SECTION 8. No expense allowed under this act shall be paid out in bulk, but is to be for actual expenses incurred in official business, and the supervisor is hereby required to demand and retain proper itemized and verified vouchers for each such expenditure.

SECTION 9. It shall be unlawful for the county supervisor or board of commissioners to make any contracts to purchase or to make any purchase for an amount exceeding one thousand dollars without the written consent of the legislative delegation.

SECTION 10. Any expense incurred by reason of failure of an officer of the county to perform the duties of his office, as required by law, shall be deducted from the salary of the officer so failing to perform his duty.

SECTION 11. No warrant shall be issued to pay any magistrate and his constable until the end of the month and until such magistrate has filed his report of the proceedings of his court, and such magistrate shall have filed a bond as provided by law.

SECTION 12. The county treasurer is authorized and directed to mail to every taxpayer the same form of notice as provided for under the terms of Section 11 of the appropriations act of Bamberg County for the year 1943.

SECTION 13. The Clerk of Court is hereby authorized and directed to charge the sum of fifty cents to satisfy any real estate mortgage; *provided*, that the satisfaction is in the form as authorized under item (1) of Section 45-65 of the 1962 Code. For recording chattel mortgages for amounts under one hundred dollars, the clerk is hereby authorized and directed to charge the same fee as any chattel mortgage, regardless of the amount of such mortgage.

SECTION 14. All chattel mortgages will be recorded in same books and indexed accordingly.

SECTION 15. The Resident Circuit Judge shall be entitled to the same benefits as any other county official.

SECTION 16. A certain sum to be determined under the provisions of an act of 1959, bearing Ratification No. 417, shall be placed in the General Fund of the county, which amount shall be diverted from hospital millage by the Treasurer of Bamberg County.

SECTION 17. The local Library Board shall have the authority to contract with neighboring counties and with the State Library Board when in so doing they can accomplish the extension and improvement of library service in Bamberg County.

SECTION 18. The Treasurer of Bamberg County is hereby authorized and directed to turn over to the Bamberg County Planning and Development Board such sums of money as may be directed by the Bamberg County Legislative Delegation. The funds are to be used by the Bamberg County Planning and Development Board for such projects as in the discretion of the board will tend to relieve unemployment in the county and stimulate business within the county.

SECTION 19. The disbursements, expenditures and actions authorized by the Bamberg County Legislative Delegation during the

fiscal year 1963-1964 in connection with the operation of the county, and departments and agencies thereof, are hereby validated and declared to be legal and binding acts of the officials of the county who acted in pursuance thereof.

SECTION 20. The provisions of this act as to the several officers in Bamberg County named in this act are mandatory and not discretionary and, upon failure or refusal of any of them to do the things herein directed and required to be done by them, the supervisor shall immediately bring and institute in the courts mandamus or such other proceedings as may be proper or necessary to carry into effect the provisions of this act. The county attorney is directed to advise all officers named in this act of their respective duties required of them in this act, and whenever necessary take legal steps at the direction of the county supervisor in the enforcement thereof.

SECTION 21. Any appropriations made by this act may be reduced or eliminated by order of the Legislative Delegation from Bamberg County and, when any new employee enters the service of Bamberg County, whether replacing an existing employee or filling a new position, the compensation or salary of such new employee shall be set by the legislative delegation.

SECTION 22. If any word, phrase, part or section of this act is held unconstitutional, the remaining portion shall continue in full force and effect.

SECTION 23 This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R688, S514)

No. 1152

An Act To Authorize The State Highway Department And The South Carolina Wildlife Resources Department To Enter Into An Agreement For The Construction Of Certain Roads And Recreation Facilities In Barnwell County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Highway Department and Wildlife Resources Department may make agreements to construct roads and recrea-

tion facilities in Barnwell County.—The State Highway Department and the South Carolina Wildlife Resources Department are authorized to enter into a cooperative agreement for the construction of certain access roads and recreation facilities in Barnwell County, as follows:

1. A road from State Route 28 to Lake Barnwell—0.476 miles.
2. A road in the Town of Barnwell from State Secondary Road S-431 to State Secondary Road S-159—0.587 miles.
3. A road from State Route 641 to the Savannah River—3.01 miles.
4. The construction of four parking areas and three boat landing ramps and one fishing wharf in the Lake Barnwell area.
5. A boat landing ramp and parking area at the Savannah River at the terminus of the road described in Item 3.

The agreement may provide for the State Highway Department to prepare the necessary plans; provide construction engineering and inspection; and award the necessary construction contracts, subject to the written approval of the South Carolina Wildlife Resources Department. All such contracts shall provide for payments for work performed to be made by the South Carolina Wildlife Resources Department from its funds. Upon completion of the construction work, the State Highway Department shall reimburse the South Carolina Wildlife Resources Department out of Farm-to-Market Construction Funds apportioned to Barnwell County for the actual cost of the construction of the secondary roads included in Items 1, 2, and 3, not to exceed forty-two thousand dollars. The State Highway Department shall pay from its Farm-to-Market Construction Funds apportioned to Barnwell County the cost of engineering and inspection. The roads shall become a part of the State Highway Secondary System upon their completion.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

July 1, 1964, And To Provide For The Expenditure Thereof; To Fix The Road Tax; To Authorize The Clerk Of Court To Destroy Certain Records; To Provide For Certain Tax Exemptions; To Require Magistrates Of The County To Give Statements For Fines Received; And To Otherwise Provide For The Fiscal Affairs Of Barnwell County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The County Auditor of Barnwell County is hereby directed to levy a tax on all the taxable property of the County of Barnwell for county purposes for the fiscal year beginning July 1, 1964, and ending June 30, 1965, sufficient to pay the following appropriations :

Item 1. Roads and Bridges :

Convicts and maintenance road working organizations	\$ 22,000.00
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	\$ 22,000.00

Item 2. Clerk of Court's Office :

Salary of Clerk of Court	\$ 1,000.00
Salary of Assistant Clerk	1,920.00
Indexing births and deaths	200.00
Recording discharge of soldiers and sailors	150.00
Repairing and binding books, if so much be necessary	200.00
To provide for preserving by the process of lamination or otherwise, through the State Archives Department, certain very old and brittle records of the county	300.00
Telephone	112.00
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	\$ 3,882.00

Provided, that the fee that may be charged by the Clerk of Court for Barnwell County for the recording, filing, indexing and/or registering of any mortgage or other instrument conveying a lien on crops growing or to be grown and/or personal property and made to any corporation organized under the Act of Congress known as

the Farm Credit Act of 1933, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation, or the Government of the United States or any department, agency, instrumentality or officer thereof, shall be fifty (50¢) cents; *provided*, that a copy or duplicate of such instruments be furnished to the recording officer. Barnwell County is specifically excepted from the provisions of Sections 27-60, 27-61, 27-66, 60-2 and 60-303 of the 1962 Code; *provided*, further, that in addition to the fee hereinabove fixed for recording chattel mortgage, the Clerk of Court may charge an additional fee of twenty-five (25¢) cents, when he is required to search the records before recording any such mortgage. *Provided*, further, that notwithstanding Section 27-52 of the 1962 Code, in Barnwell County the Clerk of Court shall receive for recording deeds without dower a fee of \$2.00; deeds with dower a fee of \$2.25; chattel mortgages a fee of \$1.50; and chattel mortgages with assignment a fee of \$2.00. *Provided*, that the Clerk of Court is authorized and directed to remove from the active shelves of the Clerk's office and store or destroy all chattel mortgage records ten (10) years of age or older.

Item 3. Sheriff's Office:

Salary of Sheriff	\$ 3,360.00
For use of auto, maintenance and travel expense of Sheriff	2,000.00
Salaries of two Deputy Sheriffs, to be appointed by the Sheriff (\$3,000.00 each)	6,000.00
For use of autos for two Deputy Sheriffs, who furnish their own cars, maintenance and gasoline (\$1,800.00 each)	3,600.00

Replacement of uniforms for two Deputy Sheriffs (\$150.00)		300.00
Salary of Clerk		2,400.00
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		\$ 17,660.00
Item 4. Treasurer's Office:		
Salary of Treasurer		\$ 1,200.00
Salary of Clerk		2,400.00
Assistant Clerk, two months @ \$200.00 per month		400.00
Telephone		112.00
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		\$ 4,112.00
Item 5. Auditor's Office:		
Salary of Auditor		\$ 1,200.00
Traveling expenses of Auditor		300.00
Salary of Clerk		2,400.00
Salary of Assistant Clerk (10 months @ \$200.00 per month)		2,000.00
Purchasing and/or repairing and binding books, if so much be necessary		200.00
Telephone		112.00
		<hr/>
		\$ 6,212.00
Item 6. Board of Education:		
Salary of Clerk		\$ 1,800.00
Travel, Attendance Teacher		400.00
Members of County Board, each \$150.00		1,050.00
Expenses, County Board		500.00
		<hr/>
		\$ 3,750.00
<i>Provided</i> , that in addition to the salary provided for the County Board of Education, there shall be allowed ten (10¢) cents per mile travel going to and returning from official meetings of the board.		
Item 7. Judge of Probate's Office:		
Salary of Judge of Probate and Acting Master \$		1,800.00
Salary for Clerk		1,200.00
For additional clerical help		300.00

To provide for preserving by the process of lamination or otherwise, through the State Archives Department, certain very old and brittle records of the county 300.00

\$ 3,600.00

Provided, that the fees charged by the Judge of Probate for Acting Master shall be the same as those heretofore provided by law for the Master of Barnwell County, in the Code. *Provided*, further, that any general law to the contrary notwithstanding, except any general legislation passed in 1952, the fees charged by the Judge of Probate of Barnwell County shall be those provided for in Section 27-308 of the 1962 Code.

Item 8. Coroner's Office:

Salary of Coroner \$ 900.00

\$ 900.00

Item 9. County Board of Managers:

Salary of Supervisor of Roads \$ 3,000.00
 Traveling expenses for Supervisor 1,800.00
 Expense allowance for Supervisor 600.00
 Salary of County Managers, five @ \$500.00 each 2,500.00
 Travel expenses for Chairman 100.00
 Salary of Clerk 2,500.00
 Printing, postage and stationery 6,350.00
 Contribution to the poor and needy of Barnwell County, to be expended under the direction of the County Board of Managers to cases not otherwise covered by law 2,000.00
 Emergency relief, to be disbursed under direction of the Department of Public Welfare 2,500.00
 Travel for Child Welfare Worker 480.00
 Expenses, Director Barnwell County DPW investigating hospital cases 300.00

\$ 22,130.00

Provided, that no charity patient shall be admitted to the Barnwell County Hospital unless

certified by the Barnwell County Department of Public Welfare.

Provided, that the item for printing, postage and stationery shall, by the County Board of Managers, be apportioned in the various offices in Barnwell County entitled to use the fund on a basis of the ratio hereinabove used, and no office or officer shall be allowed to use during the current year an amount in excess of the sum so apportioned by the County Board of Managers. *Provided*, further, that the farm lands owned by the county and operated as the Poor House Farm shall be used by the County Board of Managers in its discretion for the growing of food-stuffs for use by the County Chain Gang and County Hospital.

Item 10. Tax Collector's Office:

Salary of Tax Collector	\$ 1,800.00
Salary of Clerk	1,500.00
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	\$ 3,300.00

Item 11. Magistrates and Constables:

Magistrate at Barnwell	\$ 2,400.00
Expenses for Magistrate at Barnwell	300.00
Constable at Barnwell	780.00
Magistrate at Blackville	780.00
Constable at Blackville	780.00
Magistrate at Williston	780.00
Constable at Williston	780.00
Magistrate at Hilda	540.00
Constable at Hilda	540.00
Magistrate at Red Oak	540.00
Constable at Red Oak	540.00
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	\$ 8,760.00

Provided, that no warrant shall be issued to pay any Magistrate and his Constable until at the end of each month and such Magistrate has filed his report of the proceedings in his court and accounted for all monies collected.

Item 12. County Jail:

Dieting prisoners\$ 2,480.00
The Sheriff shall act as jailor without additional
compensation.

\$ 2,480.00

Item 13. Court Expenses:

Court expenses\$ 2,500.00
Secretarial help for the Judge of the Second Ju-
dicial Circuit 500.00

\$ 3,000.00

Item 14. Health Work:

Physicians, County Jail and Chain Gang\$ 400.00
Contribution to operation of County Health De-
partment to match State funds, as provided by
law 3,453.20
Vital Statistics:
To pay local Vital Statistics Registrars, if so
much be needed 300.00
Contribution to tuberculosis work 500.00

\$ 4,653.20

Provided, that all monies expended by the Coun-
ty Health Department shall be spent upon the
written approval of the Barnwell County Legis-
lative Delegation.

Item 15. Public buildings, including water, fuel, lights, in-
surance, also salary and expense of \$3,800.00
for Superintendent and Maintenance Engineer
for all public buildings, including Courthouse,
Office Building, Health Building, County Jail,
Agricultural Building, County Farm Prison
Building, and County Library; for keeping
grounds beautified around such buildings; and
for the use of personal truck and tools\$ 25,000.00

\$ 25,000.00

Item 16. Farm and Home Demonstration Work:

County Agent's work:

County Agent, part salary	\$ 480.00
Assistant County Agent	240.00
Boys' 4-H Club work	75.00

Contingent, stamps, etc., for County Agent and Assistant County Agent	50.00
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White Home Demonstration Agent:

Girls' 4-H Club work and Women's HD work .	75.00
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Demonstration supplies for Home Demonstration Agent	75.00
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Contingent, stamps, etc., for Home Demonstration Agent	25.00
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Secretary, salary for Home Demonstration Agent	420.00
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Telephone for County Agent and Home Demonstration Agent	100.00
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Negro Agricultural Agent:

Negro Boys' 4-H Club work	75.00
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Telephone for Negro Agricultural and Home Demonstration Agents	125.00
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Contingent, stamps, etc., for Negro Agricultural Agent	25.00
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Clerk, salary, Negro Agricultural and Home Demonstration Agent	1,200.00
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Negro Home Demonstration Agent:

Salary, Negro Home Demonstration Agent ...	1,044.00
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Negro Girls' 4-H Club work and Women's HD work	75.00
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Demonstration supplies for Negro HD Agent ..	75.00
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Contingent, stamps, etc., for Negro HD Agent .	25.00
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Barnwell Soil Conservation District	350.00
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\$ 4,534.00

Item 17. Library Board, including water, fuel, lights, also salaries, purchase of books and periodicals, book binding, library supplies, Bookmobile operation and insurance, miscellaneous items, and Librarian's expenses to S. C. Library Association meeting

\$ 12,641.22

Discretionary fund (extra cleaning, expenses of special events, etc.)	275.00
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\$ 12,916.22

Provided, that upon the approval of the County Delegation of Barnwell County the Library Board of Barnwell County is authorized to enter into contracts and agreements with other county library boards of the State, and the South Carolina State Library Board and to fully cooperate therewith in encouraging and promoting the establishment and use of libraries, the procurement of funds therefor, and the efficient use of such funds in establishing and improving public library service.

Item 18. Miscellaneous:

Premium on Bonds	\$ 900.00
Post mortems, lunacy and inquests	600.00
County Attorney	150.00
Board of Equalization	1,400.00
County Audit	1,200.00
S.C. Industrial Commission	1,580.57
S.C. Retirement System	2,860.00
Social Security Trust Fund	3,450.00
Contribution to Richardson-Walsh American Legion Hut	200.00
Contribution to American Legion Post at Wil- liston	200.00
Contribution to American Legion Post at Black- ville	200.00
Contribution to Barnwell County National Guard Maintenance Fund	1,000.00
Blue Cross-Blue Shield	3,820.00
Civil Defense (to be expended on approval of Barnwell County Legislative Delegation)	3,300.00
Fifty per cent (50%) of salaries of two radio operators jointly operating radio service between the city of Barnwell and the county law enforce- ment officers	2,500.00
S.C. Police Officers Retirement System	1,800.00

Board of Registration	600.00
Miscellaneous Contingent Fund	3,000.00

\$ 28,760.57

GRAND TOTAL\$177,649.99

Less Estimated Revenue other than Taxes:

Fines and Licenses	\$ 7,000.00
Commutation Tax	3,000.00
Gasoline Tax (1 cent)	62,000.00
Insurance License Fees	16,000.00
Liquor Tax	22,000.00
Income Tax	21,000.00
Miscellaneous	5,000.00

\$136,000.00

Amount to be raised by taxation\$ 41,649.99

SECTION 2. On and after the passage of this act, until specifically repealed, the road tax in Barnwell County shall be \$2.00 per year.

SECTION 3. The contingent fund herein created shall be spent only upon the written approval by the Legislative Delegation after being first approved by the County Board of Managers.

SECTION 4. Effective January 1, 1955, and each year thereafter, travel expense and/or travel expenses shall mean remuneration for services rendered.

SECTION 5. The County Board of Managers shall publish annually at the end of each fiscal year in a newspaper having general circulation in the county a report showing all of the expenditures made by the said County Board of Managers during the said fiscal year.

SECTION 6. No claim shall be approved or warrant issued therefor unless claims be itemized and sworn to.

SECTION 7. *Provided,* That at the end of the fiscal year 1964-65 the county treasurer is hereby authorized and directed to transfer any surplus appearing in any account to any deficit appearing in any other account, and if the surpluses are not sufficient to cover deficits the treasurer is authorized and directed to charge said deficit against

any surplus funds in hand, upon the written authority of the Legislative Delegation.

SECTION 8. In anticipation of the collection of taxes herein provided for, the Board of County Managers and the treasurer are authorized and empowered to borrow, on the credit of the county, such sums as are necessary to carry out the provisions of this act and to pledge current taxes in payment therefor. Such obligations shall be signed by the treasurer and the chairman of the Board of County Managers, attested by the clerk of such board.

The county treasurer is hereby authorized upon the approval of the Barnwell County Legislative Delegation at any time to borrow any such sum or sums of money on the credit of the county, as are necessary, for county purposes including necessary contributions to the maintenance and support of the Barnwell County Hospital.

SECTION 9. All American Legion Huts in Barnwell County are exempted from county taxes.

SECTION 10. All magistrates hereafter elected and/or appointed before qualifying shall file with the County Board of Managers good and sufficient bond conditioned for the faithful performance of their duties in the sum of \$500.00 which said bond shall be approved by the County Board of Managers.

SECTION 11. That no lunatic shall hereafter be confined in or committed to the county jail except for a period not exceeding five days awaiting transfer to the State Hospital; and the Probate Judge shall make no charge for any lunacy proceedings held unless the lunatic in question shall actually be committed to the State Hospital.

SECTION 12. The County Board of Managers and/or Supervisor are hereby directed to furnish from the chain gang a suitable trusty or trusties to be assigned for work in and about the courthouse, Barnwell County Hospital and other public buildings and grounds, for the maintenance and upkeep of same, and such shall be under the direction and control of the Superintendent and Maintenance Engineer for Public Buildings. *Provided*, The Board of Managers is authorized and directed to assign a trusty from the chain gang as a laborer at the county jail.

SECTION 13. The charge for weighing cotton in Barnwell County shall be twenty cents per bale, one-half of which shall be paid by the buyer and one-half by the seller.

SECTION 14. In the expenditure of the money appropriated in this act, only one-twelfth shall be spent each month, unless upon the written approval of the Legislative Delegation.

SECTION 15. There is hereby created a County Board of Health for Barnwell County, which shall be constituted as follows: a medical doctor to be named by the Barnwell County Medical Association, a veterinarian to be named by the veterinarians of Barnwell County, one citizen to be named by the Mayor and Town Council of the Town of Barnwell and one citizen to be named by the Mayor and Town Council of the Town of Blackville and one citizen to be named by the Mayor and Town Council of the Town of Williston. Said Board shall organize and elect a chairman and a secretary; it shall establish rules and regulations and enforce the same to the end that the health of the people of Barnwell County shall be promoted and protected. Said Board shall have all the powers and authorities usually performed by a Board of Health, shall meet on the call of the chairman at such times as the public health requires, in cases of emergency and otherwise, and the members shall receive a per diem of \$5.00 each per day in attendance upon meetings of the Board and travel at 5¢ per mile to and from their places of residence.

SECTION 16. Barnwell County is authorized to cooperate with any State or Federal Agency in providing additional recreational facilities for the county, and the county upon the approval of the Legislative Delegation is authorized to transfer such county property as may be necessary to accomplish this end.

SECTION 17. All expenditures heretofore made upon the approval of the Barnwell County Board of Managers and the County Delegation from either the general, special or surplus funds of the County are hereby approved and ratified.

SECTION 18. Any overdrafts authorized by the County Board of Managers or by the County Delegation shall be charged to the general funds of the county and any funds so far or hereafter paid out in accordance with this plan are hereby validated.

SECTION 19. Grand and petit jurors shall each hereafter be paid at the rate of \$6.00 per court attendance day.

SECTION 20. *Provided,* That the maintenance and supervision of all public buildings in Barnwell County shall be under the supervision of the County Supervisor, and the office hours and the days the said

offices shall be open shall be designated by the County Board of Managers.

SECTION 21. *Provided,* That the auditor and treasurer are hereby authorized and directed to levy and collect a tax of three mills on all the taxable property of Barnwell County not exempt by law, for the operation and maintenance of the Barnwell County Hospital.

SECTION 22. The Shuron Optical Company, Division of Textron, and Barnwell Industries, Inc., and The Bud Berman Plant at Wiliston are hereby exempted from all county and school taxes for a period of five years beginning January 1, 1961.

This tax exemption shall also apply to any and all new manufacturing business enterprises of the same investment and above locating in Barnwell County.

SECTION 23. Any law enforcement officer of Barnwell County having a case before any magistrate of the county shall obtain a statement from such magistrate showing the name of the defendant, the offense for which such defendant is charged and the amount of fine received by the magistrate if the defendant is convicted. Such statement shall be furnished by each magistrate on the request of the law enforcement officer, and the law enforcement officer shall file the statement with the Treasurer of Barnwell County on or before the first day of each month following the issuance of the statement. No law enforcement officer and/or magistrate of Barnwell County who fails to comply with the provisions of this section shall receive any salary.

SECTION 24. The County Board of Managers shall make checks payable to each employee and officer for compensation provided therefor in this act. No person's compensation shall be included in the check of any other person.

SECTION 25. All acts or parts of acts inconsistent herewith are repealed.

SECTION 26. This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1149, H2589)

No. 1154

An Act To Authorize The Board Of Trustees Of Williston School District No. 29 In Barnwell County To Borrow Not Exceeding The Sum Of Sixty Thousand Dollars For School Purposes; And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Williston School District 29 may borrow money.—The Board of Trustees of Williston School District No. 29 in Barnwell County may borrow the sum of not exceeding sixty thousand dollars for school purposes. The amount so borrowed shall be evidenced by notes to be executed by all members of the board, and shall bear such rate of interest, not to exceed four per cent, as may be agreed upon between the board and the lender, and shall be payable within a period of fifteen years from the date of the notes. The notes may be payable at any time prior to maturity on any interest bearing date.

SECTION 2. Payment.—In order to provide for the payment of the loan and interest thereon, the auditor shall levy and the treasurer shall collect an annual tax upon all of the taxable property of the school district to meet each installment with interest as it becomes due. The entire proceeds of this levy shall be applied on the principal and interest of the notes given to secure the debt until the loan is paid in full, at which time the tax shall no longer be levied.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1190, H2700)

No. 1155

An Act To Create The Barnwell County Nursing Home Board And To Authorize The Building Of A Nursing Home; To Prescribe The Duties And Responsibilities Of The Board; To Authorize The Board To Borrow Not To Exceed The Sum Of One Hundred Thousand Dollars For The Purpose Of Constructing And Equipping The Home; And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Barnwell County Nursing Home Board created.—

There is hereby created the Barnwell County Nursing Home Board, which shall consist of three members to be appointed by the Governor upon the recommendation of the county legislative delegation. The terms of office of the members shall be for three years, except that of those first appointed one shall be for one year, one shall be for two years, and one shall be for three years.

The board shall meet as soon as practicable after appointment and shall elect one of its members as chairman and one as secretary. Thereafter the board shall meet on the call of the chairman or a majority of its members.

SECTION 2. May construct and equip a nursing home.—The nursing home board is hereby authorized to construct and equip a nursing home for the county on the western side of what is commonly known as the Lake Side of the Barnwell County Hospital property. The County Hospital Board of Barnwell County is authorized and directed to convey to the nursing home board such acreage as a site for the nursing home as may be directed by the county legislative delegation. The deed shall be signed by the chairman of the hospital board and title shall be vested in the nursing home board.

SECTION 3. Powers and duties.—The nursing home board is authorized to build and equip a nursing home of suitable size and design in order to meet the foreseeable needs of the county, and is authorized to employ such administrative, clerical, nursing and other help as may be necessary to properly operate the home. In planning for construction, the board is authorized to employ such architectural, engineering and other technical assistants as may be necessary, and shall consult with the county delegation and such county officials as may be desirable in order to present to the county nursing facilities which will serve the people in an ever expanding economy for years to come without the need of expensive extensions and additions.

SECTION 4. Accept gifts and grants.—The nursing home board is authorized to accept any gifts, bequests or grants, either from the Federal, State, county or municipal governments, or from foundations or private individuals, with particular attention to such funds as may be available under the terms of the Hill-Burton Act.

SECTION 5. Funds for operation.—The nursing home board shall operate the nursing home with such funds as may be provided by the

General Assembly, in addition to any funds received from sources provided for by Section 4 of this act.

SECTION 6. May borrow money.—The nursing home board is hereby authorized to borrow not to exceed the sum of one hundred thousand dollars for the purpose of defraying the cost of planning for the nursing home, constructing and equipping, and for incidental expenses incurred in the initial stages of operation. The money may be borrowed from any lending agency, including the Division of Sinking Funds and Property, at such a rate of interest as may be mutually agreed upon by the board and the lender, not to exceed four per cent. The loan shall be evidenced by notes signed by the chairman of the nursing home board and the treasurer of Barnwell County, and shall be payable within a period of twenty years from the date of the notes.

In order to provide for the payment of the loan and the interest thereon, the auditor shall levy and the treasurer shall collect an annual tax on all of the taxable property of the county sufficient to pay each instalment, with interest, as it becomes due. The board is authorized to anticipate payment of any note on any interest bearing date.

In order to secure payment of the notes provided by this section, the full faith, credit and taxing power of Barnwell County shall be irrevocably pledged.

SECTION 7. Temporary loans.—The nursing home board is authorized to borrow on temporary loans such sums as may be needed immediately. Any such sum may be borrowed, not to exceed the sum authorized by this act, by notes for short periods of time, signed and executed in the same manner as provided in Section 6 of this act.

SECTION 8. Members not to be compensated.—The members of the board shall serve without compensation.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R883, H2239)

No. 1156

A Joint Resolution Proposing Amendments To Section 7, Article VIII, And Section 5, Article X, Of The Constitution Limiting The Amount Of Bonded Indebtedness Which May Be Incurred By Political Subdivisions Of This State, So As To Eliminate The Provisos To Such Sections Exempting The County Of Beaufort And Other Political Subdivisions Within The County From Such Limitations, And Proposing An Amendment To Section 5, Article X, Of The Constitution To Exempt Beaufort County And Any Political Subdivision Within Such County From The Limitations Of That Section Or Any Other Constitutional Provision Limiting The Amount Of Bonded Indebtedness Which May Be Incurred By A Political Subdivision Of This State.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article VIII, Section 7, State Constitution proposed—bonded indebtedness of City of Beaufort.—There is proposed the following amendment to Section 7, Article VIII, of the Constitution of this State: strike out the proviso to such section which reads as follows: "*Provided*, That the limitations imposed in Section 7, Article VIII, and by Section 5, of Article X, of the Constitution of the State of South Carolina shall not apply to the bonded indebtedness incurred by the City of Beaufort, when the proceeds of any bonds issued by said city are applied exclusively to the purchase, erection, improvements and maintenance of streets and sidewalks where the abutting property owners are assessed as much as one-half the cost thereof, or for the purchase, construction and maintenance of waterworks, lighting plants, gas plants, sewerage system or for the payment of debts incurred and when the question of incurring such indebtedness is submitted to the qualified electors of said municipality as provided by law."

SECTION 2. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of City of Beaufort.—There is proposed the following amendment to Section 5, Article X, of the Constitution of this State: strike out the proviso to such section which reads as follows: "*Provided*, That the limitations imposed in Section 7, Article VIII, and by Section 5, Article X, of the Constitution of the State of South Carolina shall not apply to the bonded indebtedness incurred by the City of Beaufort, when

the proceeds of any bonds issued by said city are applied exclusively to the purchase, erection, improvements and maintenance of streets and sidewalks where the abutting property owners are assessed as much as one-half the cost thereof, or for the purchase, construction and maintenance of waterworks, lighting plants, gas plants, sewerage system or for the payment of debts incurred, and when the question of incurring such indebtedness is submitted to the qualified electors of said municipality as provided by law."

SECTION 3. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of County of Beaufort.—There is proposed the following amendment to Section 5, Article X, of the Constitution of this State: strike out the proviso to such section which reads as follows: "*Provided*, That the limitations imposed in Paragraph 5, Article X, of the Constitution of the State of South Carolina shall not apply to the bonded indebtedness of the County of Beaufort, or of townships, school districts or other political subdivisions of said county."

SECTION 4. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Beaufort.—There is proposed the following amendment to Section 5, Article X, of the Constitution of this State: strike out the proviso to such section which reads as follows: "*Provided*, That the limitations imposed in Paragraph 5, Article X, of the Constitution of the State of South Carolina shall not apply to the bonded debt of Beaufort."

SECTION 5. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Beaufort County and its subdivisions.—There is proposed the following amendment to Section 5, Article X, of the Constitution of this State which shall read as follows:

"Provided, That the limitations imposed by this Section 5 of Article X, and by any other constitutional provisions imposing limitations upon bonded indebtedness that may be incurred by counties, townships, school districts, municipal corporations, or political divisions or subdivisions of this State shall not apply to the County of Beaufort, any township in Beaufort County, any school district in Beaufort County, any municipal corporation in Beaufort County, or any political division or subdivision in Beaufort County."

SECTION 6. Submission to electors.—The proposed amendments shall be submitted to the qualified electors at the next general election

for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon:

“Amendment No. 1

Shall Section 7, Article VIII, of the Constitution of this State limiting the amount of bonded indebtedness which may be incurred by a municipality, be amended so as to eliminate the provision exempting the City of Beaufort from such limitation when the proceeds of the bonds are applied exclusively to the purchase, erection, improvement and maintenance of streets and sidewalks where the abutting property owners are assessed as much as one-half the cost thereof, or for the purchase, construction and maintenance of waterworks, lighting plants, gas plants, sewerage systems or for the payment of debts incurred?

In favor of the amendment ☐

Opposed to the amendment ☐

Amendment No. 2

Shall Section 5, Article X, of the Constitution, limiting the amount of bonded indebtedness which may be incurred by municipal corporations, be amended so as to eliminate the proviso exempting the City of Beaufort from such limitation when the proceeds of such bonds are applied exclusively to the purchase, erection, improvement and maintenance of streets and sidewalks where the abutting property owners are assessed as much as one-half the cost thereof, or for the purchase, construction and maintenance of waterworks, lighting plants, gas plants, sewerage systems or for the payment of debts incurred, and when the question of incurring such indebtedness is submitted to the qualified electors of said municipality as provided by law?

In favor of the amendment ☐

Opposed to the amendment ☐

Amendment No. 3

Shall Section 5, Article X, of the Constitution of this State limiting the bonded indebtedness which may be incurred by political subdivisions of this State, be amended so as to eliminate the provision exempting the County of Beaufort and the townships, school districts and other political subdivisions of the county from such limitation?

In favor of the amendment ☐

Opposed to the amendment ☐

Amendment No. 4

Shall Section 5, Article X, of the Constitution of this State limiting the bonded indebtedness which may be incurred by political subdivisions of this State, be amended so as to eliminate the provision exempting Beaufort from such limitation?

In favor of the amendment ☐

Opposed to the amendment ☐

Amendment No. 5

Shall Section 5, Article X, of the Constitution of this State limiting the amount of bonded indebtedness which may be incurred by a political subdivision of this State be amended so as to exempt the County of Beaufort and any political subdivision within such county from the limitations imposed by this section, or by any other constitutional provision, limiting the amount of bonded indebtedness which may be incurred by a political subdivision of this State?

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of one or more of the foregoing amendments shall mark the ballot with a check or cross mark in the square after the words 'In favor of the amendment' which immediately follow the appropriate amendment, and those voting against one or more of the foregoing amendments shall mark the ballot with a check or cross mark in the square after the words 'Opposed to the amendment' which immediately follow the appropriate amendment."

Ratified the 10th day of March, 1964.

(R898, S691)

No. 1157

An Act To Extend The Quail Season In Beaufort County To March Fifteenth For The Year 1964 Only.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Quail season for Beaufort County.—The hunting season for quail in Beaufort County is extended to March fifteenth for the year 1964 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R1075, H2182)

No. 1158

An Act To Create Sea Pines Public Service District On Hilton Head Island In Beaufort County; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Of Its Commission; To Make Provision For The Borrowings By The District, Including The Issuance Of Not Exceeding Five Hundred Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed By The District And To Make Provision For Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly makes the following findings of fact :

(1) The opening of a free public highway connecting Hilton Head Island to the mainland of Beaufort County has resulted in the rapid development of sections of that island, including the area hereafter described and incorporated into the special purpose district herein created. Many resort and year-round homes have been built and much use has been made of the beach area of the island fronting on the Atlantic Ocean and on the tidewater areas fronting on the sounds and rivers. The rapid development of homes within the area of the Sea Pines Public Service District has created the need for a publicly owned and operated waterworks system which will supply those living within the district herein created with a sanitary supply of water for domestic and commercial purposes and which will afford a means of improving protection against fire.

(2) The development of recreation facilities and multi-unit accommodations, in the nature of inns, clubs and apartment buildings, will make construction of a sewage disposal system to serve such areas a health necessity.

(3) The growth of the year-round and seasonal population within the district makes necessary the construction of a building to be used as a medical clinic and emergency aid facilities to be operated by independent doctors a health necessity.

(4) On the basis of these findings the General Assembly has determined to constitute the territory hereinafter described into a special purpose district and to commit to it the functions set forth in this act.

SECTION 2. Sea Pines Public Service District created—area.—

There is hereby created and established on Hilton Head Island in Beaufort County a special purpose district to be known as "Sea Pines Public Service District" which district shall be a public corporation of perpetual succession and shall have the functions prescribed by this act. The district shall include and be comprised of that area of Beaufort County:

All that tract of land known as Sea Pines Plantation, covering the southernmost portion of Hilton Head Island, Beaufort County, South Carolina, containing five thousand two hundred acres more or less, being bounded on its northeast side by lands of The Hilton Head Company, the rights-of-way of Pope Avenue and Cordillo Parkway, being bounded on the southeast side by the Atlantic Ocean, and on its southwest and westerly sides by the waters of Calibogue Sound and Broad Creek.

As soon as convenient, and prior to the issuance of the bonds herein authorized, a plat of the district shall be prepared and copies thereof shall be filed in the offices of the Auditor, the Treasurer and the Clerk of Court for Beaufort County.

SECTION 3. To be governed by a commission.—Such district shall be operated, managed and governed by a commission to be known as "Sea Pines Public Service District Commission". The commission shall consist of five residents of the district who shall be qualified electors of the district, such commissioners to be appointed by the Governor upon the recommendation of a majority of the Legislative Delegation of Beaufort County, including the Senator. The original appointments shall be for a term of one year for two appointees, for two years for the third and fourth appointees and for three years for the fifth appointee, and in all cases those persons holding office shall continue to hold office until their successors have been appointed and qualify. All of the terms shall begin as of the effective date of this act. Upon the termination of the term of office of any commissioner, a successor shall be appointed by the Governor, upon the recommendation of a majority of the Legislative Delegation of Beaufort County, including the Senator, for terms of three years. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise, shall be filled for the remainder of the unexpired term by appointment by the Governor, upon the recommendation of a majority of the Legislative Delegation of Beaufort County, including the Senator.

SECTION 4. Powers.—The commission shall be empowered as follows:

1. To have perpetual succession.
2. To sue and be sued.
3. To adopt, use and alter a corporate seal.
4. To make bylaws for the management and regulations of its affairs, a quorum for its meetings being a majority of the members of the commission.
5. To deposit moneys derived from revenue-producing facilities, and to withdraw the moneys for the purposes of operating and maintaining such facilities, and other purposes as herein provided.
6. (a) To prescribe such regulations with respect to the use of any property or any facilities owned by the district as shall be deemed necessary in order to provide for the proper use and enjoyment thereof by the residents of the district.

Provided, however, no regulation shall be adopted unless a certified copy of the resolution has been recorded in the office of the Clerk of Court for Beaufort County and posted in at least two public places in the district, and notice of the intent to adopt such regulation shall have been published at least once during each of three successive weeks in a newspaper published in and having general circulation in Beaufort County, which notice shall give the time, date and place on Hilton Head Island at which a public hearing is to be held. Such notice shall further specify, in brief, the scope of the regulation and shall state the date on which it is proposed that the regulation shall become effective.

(b) The commission is expressly authorized to apply to any court of general jurisdiction for the enforcement of such regulation through the means of mandatory injunctions and such other remedial orders as shall appear to such courts to be just and equitable.
7. To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.
8. To conduct or have conducted, investigations and surveys needed as a basis for decisions on the type, size, and scope of public works needed in the district, to have prepared estimates of construction costs, and to have prepared detailed plans and specifications required to secure construction and equipment bids on public facilities to be owned by the district.

9. To build, acquire, construct, operate and maintain such water-works, sewage disposal, medical clinic facilities enumerated in Section 1, as shall, in the opinion of the commission be necessary for the district.

10. To acquire and operate such facilities and equipment as shall be required for the protection of lives and property against fire and other hazards arising therefrom, should such facilities and equipment not be available under the Beaufort County Rural Fire Program.

11. To impose such schedule of rates and charges for the use of water and sewage disposal facilities and other public buildings and facilities as the commission shall from time to time approve. To that end, the commission shall be empowered to place into effect and to revise, whenever it so wishes or may be so required, a schedule of rates for water and sewer service and other public buildings and facilities made available by it to persons, firms and corporations within the district.

12. To make use of county and State highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

13. To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Article 2, Chapter 3, Title 33, of the 1962 Code, or by the following of the procedure for the exercise of eminent domain prescribed by Chapter 3, Title 25, of the 1962 Code, as such statutes are now constituted or as they may afterwards be constituted following any amendments thereto.

14. To appoint officers, agents, employees and servants, prescribe the duties of such, fix their compensation, and determine if and to what extent they shall be bonded for the faithful performance of their duties. All such persons may be employed full or part time, or under such special conditions as the commission may determine.

15. To make contracts for construction, engineering, and other services, upon competitive bidding where practicable.

16. To enter into contracts with the Forest Beach Public Service District and other public or private corporate bodies for purchase or sale of water or other utilities service; to interconnect water and utilities systems between the two districts, and other public service districts which may hereafter be established; to jointly own or lease

with the Forest Beach Public Service District real estate for offices or other district functions; vehicles; equipment; and other facilities necessary to carry out the functions of the districts, whether or not physically located within the districts; to jointly employ engineers, auditors, and other personnel, whether full or part time, with the Forest Beach Service District, by joint agreement with the commission of such district.

17. In addition to the taxes authorized by paragraph (e) of Section 5 the district may levy, annually, an ad valorem tax of not exceeding three mills for corporate purposes. The commission shall annually notify the Beaufort County Auditor and the Beaufort County Treasurer of the tax levy millage to be assessed against the real and personal property in the district, whereupon such public officers of Beaufort County shall assess and collect the tax as requested and the treasurer shall hold the funds and disburse them as directed by the commission, including deposits to the commission's operating account as provided in paragraph 5 above. All such taxes shall constitute a lien upon the property against which they are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the nonpayment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes shall apply to taxes levied pursuant to this act.

18. To do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

SECTION 5. May issue bonds.—As one method of raising money to acquire and to enlarge and improve the waterworks system required for the district and to construct a sewage disposal system, medical clinic and other public facilities, the commission, on behalf of the district, shall be empowered to issue general obligation bonds of the district, not exceeding five hundred thousand dollars, whose proceeds shall be used for such purposes, including the payment of such interest on the bonds as may be capitalized. All or any general obligation bonds issued pursuant to this paragraph shall be additionally secured by a pledge of all of the net revenues to be derived from the operation of the waterworks system and sewage disposal system and other net revenues from other facilities constructed for the district, it being specifically recognized that the commission may thereafter wish to provide for further obligations of the district, secured by a pledge on a parity with the pledge herein required. If, pursuant to this paragraph, general obligation bonds are issued:

(a) They shall be issued as a single issue or, from time to time, as several separate issues. They shall bear such date as the commission shall determine, and the bonds of any issue shall mature in such equal or unequal annual installments as may be determined by the commission. They shall be made payable at such place as the commission shall prescribe, and shall bear interest at such rate, payable in such manner as the commission shall determine. The bonds may be registered, with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Beaufort County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity on such terms and conditions, and with such redemption premium, as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale, and at least ten days prior to any sale, notice announcing the intention to receive bids for the sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale, the commission may reserve the right to reject any and all bids, and if all bids shall be rejected, the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

(d) Such bonds shall be executed in such manner as may be prescribed by the commission; however, no person signing the obligations shall be personally liable thereon.

(e) There shall be irrevocably pledged for the payment of the general obligation bonds and interest thereon, as they mature, the full faith, credit and resources of the district, and the Auditor and Treasurer of Beaufort County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay the bonds and interest thereon as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities. Net revenues from facilities described in Section 1 which are pledged to bond payments shall be delivered to the Treasurer of Beaufort County prior to the occasion when the auditor fixes the annual levy. The annual ad valorem tax herein directed to be

levied may be reduced in each year by the amount of net revenues as aforesaid actually in the hands of the Treasurer of Beaufort County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such moneys on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

(f) The pledge of revenues authorized by this section need not, in the discretion of the commission, be exclusive, and the commission may reserve the right to issue further bonds, payable in whole or in part, from such revenues, on a parity with the bonds authorized by this section, under such conditions as the commission may prescribe.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of Beaufort County, in a separate and special fund, and shall be expended upon the warrants or orders of the commission for the purposes for which they shall be issued and no others, except that any premium received shall be deposited with the Treasurer of Beaufort County and by him applied to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the Treasurer of Beaufort County to the first installment of interest becoming due on the bonds. Neither the purchasers of the bonds nor any subsequent holders thereof shall be responsible for the proper application of the proceeds of sale.

(h) The Treasurer of Beaufort County is authorized to invest the special funds held for district purposes in United States Government bonds or obligations, and in state or national banks serving as depositories of funds for instrumentalities of the State of South Carolina, in interest bearing accounts whenever practical. All interest so earned shall be credited to the accounts of the Sea Pines Public Service District.

SECTION 6. Borrowing of money.—In order to provide further methods by which the district may from time to time raise money, the commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness, payable solely from all or any part of the revenues derived from the operation of its waterworks system and sewage disposal system, or other public buildings and facilities constructed by the district. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of such systems, or such sums as may

be needed to pay the cost of any extension, addition and improvement to such systems, or to acquire land for, and to construct and equip any public building or facility within the scope of the commission's powers as set forth in this act. If this authorization be availed of, then under such circumstances, neither the faith and credit of the State of South Carolina, nor of Beaufort County, nor of the district, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money pursuant to this section may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Article 6, Chapter 4, Title 59 and by Chapter 6, Title 59, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendment and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the powers conferred upon the district by such Code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the district may:

(1) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its waterworks system and sewage disposal system from operation of its other buildings and facilities, or lease income from them, as such net revenues may be defined by the commission.

(2) Covenant and agree that upon its being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event, the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(3) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and all revenues derived from the operation of the waterworks system and sewage disposal system, and operation or leasing of other buildings and facilities,

whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness.

(4) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve.

(5) Make such provisions for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve.

(6) Covenant and agree that the payments into any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in fixed amounts.

(7) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation or any subdivision or division of the State.

(8) Prescribe the procedure, if any, by which the terms of the contract with holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(9) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

SECTION 7. Contracts to be by bid—audit.—The commission shall advertise for bids prior to letting contracts for the construction of any buildings or facilities, or purchase of equipment, involving an expenditure of more than one thousand dollars.

The financial affairs of the commission shall be subject to detailed audit by a firm of independent certified public accountants, with such audits to be made annually, and the audit reports thereof being promptly provided to the Foreman of the Beaufort County Grand Jury, the Beaufort County Treasurer, each member of the Beaufort County Legislative Delegation, and to any bondholder of the district requesting a copy of them. Any taxpayers of the district may obtain a copy of the reports on payment of the reasonable cost of reproducing a copy of such audit reports.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1209, H2474)

No. 1159**An Act To Authorize The State Highway Department And The South Carolina Wildlife Resources Department To Enter Into An Agreement For The Construction Of Roads And Recreation Facilities In Beaufort County.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Highway Department and Wildlife Resources Department may make agreements to construct roads and recreation facilities in Beaufort County.—The State Highway Department and the South Carolina Wildlife Resources Department are authorized to enter into a cooperative agreement for the construction of access roads and recreation facilities in Beaufort County.

The agreement may provide for the State Highway Department to prepare the necessary plans; provide construction engineering and inspection; and award the necessary construction contracts, subject to the written approval of the South Carolina Wildlife Resources Department. All such contracts shall provide for payments for work performed to be made by the South Carolina Wildlife Resources Department from its funds. Upon completion of the construction work, the State Highway Department shall reimburse the South Carolina Wildlife Resources Department out of Farm-to-Market Construction Funds apportioned to Beaufort County not exceeding the actual cost of constructing any such secondary roads or one-half the total cost of the roads and recreation facilities included in the cooperative agreement; whichever it the lesser. The State Highway Department shall pay from its Farm-to-Market Construction Funds apportioned to Beaufort County the cost of engineering and inspection. The roads shall become a part of the State Highway Secondary System upon their completion.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1314, H2411)

No. 1160**An Act To Provide For The Levy Of Taxes For County, School And Other Purposes For The Year 1964-1965, And Direct The**

Expenditure Thereof, In Beaufort County; To Provide For Borrowing Money Under Certain Circumstances; And To Otherwise Regulate The Fiscal And Financial Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of so many mills as are necessary is hereby levied on all taxable property in Beaufort County, for county and school purposes, for the fiscal year beginning July 1, 1964, and ending June 30, 1965, for the amounts and purposes hereinafter mentioned. The millage levy shall not exceed that number of mills, or fractions thereof, actually necessary to raise the sums herein appropriated. Such millage shall be determined by the Beaufort County Auditor and Treasurer, subject to the approval of a majority of the Beaufort County Legislative Delegation, including the Senator.

SECTION 2. For the fiscal year commencing July 1, 1964, there is hereby appropriated out of the General Fund, if so much be necessary, the following:

1000	Legislative:		
1002	Salary of Secretary	\$	1,500.00
1012	Telephone		1,000.00
1014	Travel		400.00
1015	Printing and Office Supplies		150.00
1016	Postage		75.00
1049	Unclassified		100.00
	Total	\$	3,225.00
1100	Executive:		
1101	Salaries of Directors	\$	2,100.50
1102	Salary of Executive Secretary		4,800.00
1103	Clerical Salaries		3,016.00
1104	Special Clerical		1,508.00
1112	Telephone		210.00
1113	Rent, Repairs and Service Contracts on Office Equipment		330.00
1114	Travel		650.00
1115	Printing & Office Supplies		1,000.00
1116	Postage		150.00
1150	Capital Outlays		1,296.88
	Total	\$	15,061.38

1200	Judicial:		
1201	Salary of Probate Judge	\$	5,250.00
1202	Salaries of Magistrates:		
	Beaufort Township		3,600.00
	St. Helena Township		1,950.00
	Sheldon Township		1,680.00
	Bluffton Township		1,365.00
	Hilton Head Township		1,155.00
	Daufuskie Island		700.00
1204	Constable—Daufuskie Island		330.00
1205	Jurors, Witnesses, etc.,—per diem	12,000.00	
1212	Téléphone		150.00
1215	Printing & Office Supplies		400.00
1216	Postage		150.00
1241	Lunacies		200.00
	Total	\$	28,930.00
1300	Elections:		
1305	Per diem—Board of Registration		180.00
1315	Printing and Office Supplies		20.00
	Total	\$	200.00
1400	Treasurer's Office:		
1401	Salary of County Treasurer	\$	3,352.00
1403	Clerical Salaries:		
	Delinquent Tax Clerk		3,780.00
	Clerk I		3,016.00
	Clerk II		3,276.00
1412	Telephone		180.00
1413	Rent, Repairs & Service Contracts on Office		
	Equipment		150.00
1414	Travel		100.00
1415	Printing & Office Supplies		850.00
1416	Postage		1,500.00
1450	Capital Outlay		425.00
	Total	\$	16,629.00
1500	Tax Assessment:		
1501	Salary of County Auditor	\$	3,352.00
1502	Salary of Special Tax Assessor		6,300.00

1503	Clerical Salaries:	
	Clerk, for special Tax Assessor's Office . .	2,860.00
	Clerk I, for Auditor's Office	3,016.00
	Clerk II, for Auditor's Office	3,276.00
1506	Appraisal, Tax Modernization	5,000.00
1512	Telephone	150.00
1513	Rent, Repairs, Service Contracts on Office Equipment	400.00
1514	Travel	200.00
1515	Printing & Office Supplies	500.00
1516	Postage	50.00
Total		\$ 25,104.00
1600	Recording of Public Documents:	
1601	Salary of Clerk of Court	\$ 5,551.00
	<i>Provided</i> , this salary is at semiannual rate of \$1,201.00 to January 1, 1965, and there- after at annual rate of \$8,700.00.	
1602	Salary of Deputy Clerk of Court	3,308.00
	<i>Provided</i> , this salary is at semiannual rate rate of \$1,508.00 to January 1, 1965, and thereafter at annual rate of \$3,600.00.	
1603	Clerical Salaries, commencing on January 1, 1965	1,430.00
1612	Telephone	270.00
1613	Rent, Repairs & Service Contracts on Of- fice Equipment	100.00
1615	Printing & Office Supplies	3,500.00
1616	Postage	250.00
1650	Capital Outlays	740.00
Total		\$ 15,149.00
1700	General Government Buildings:	
1704	Salaries of Janitors:	
	Courthouse Janitor	\$ 2,288.00
	County Office Building Janitor	2,288.00
	University Extension—part time Janitor . .	1,300.00
1711	Heat, Lights & Water	11,000.00
1718	Repairs to Buildings	4,000.00
1722	Cleaning & Sanitation	1,500.00

1727	Other Operating Supplies	500.00
1731	Insurance on Buildings	3,000.00
1750	Capital Outlays (Airport Improvements) .	4,000.00
Total		\$ 29,876.00
1800	Beaufort County Development Commission:	
1802	Salary of Executive Secretary	\$ 2,425.00
1803	Clerical Salaries	1,500.00
1805	Per diem of Board members	1,500.00
1806	Professional & Engineering Fees	2,000.00
1812	Telephone	1,000.00
1813	Rent, Repairs & Service Contracts on Office Equipment	100.00
1814	Travel	2,000.00
1815	Printing & Office Supplies	400.00
1816	Postage	200.00
1841	Advertising, promotion & Publications ...	5,000.00
1849	Unclassified	300.00
Total		\$ 16,425.00
1900	Professional Services:	
1905	Independent Audit	\$ 4,000.00
1906	Legal Services	300.00
Total		\$ 4,300.00
2000	Sheriff's Department:	
2001	Salary of Sheriff	\$ 8,700.00
2002	Salaries of Deputy Sheriffs:	
	Chief Deputy	5,670.00
	Sergeant	5,355.00
	6 Deputy Sheriffs	29,729.00
	Night Deputy	3,728.00
2003	Clerical Salaries	3,016.00
2004	Salaries of Special Deputies	450.00
2012	Telephone	420.00
2013	Rent, Repairs & Service Contracts on Office Equipment	75.00
2015	Printing & Office Supplies	350.00
2016	Postage	75.00
2019	Repairs to Vehicles & Other Equipment ..	4,000.00

2021	Fuels & Lubricants	5,655.00
2024	Uniforms	1,575.00
2027	Other Operating Supplies	900.00
2034	Insurance	1,300.00
2049	Education	1,000.00
	<i>Provided</i> , that out of this item shall be paid only the cost of tuition, transportation and per diem of \$10.00 per day while attending any school or course outside Beaufort County.	
2050	Capital Outlays	9,483.00
	Total	\$ 81,481.00
2100	Jail:	
2101	Salary of Jailor	\$ 2,883.00
2106	Medical Services	800.00
2112	Telephone	70.00
2119	Repairs to Machinery & Equipment	100.00
2122	Household & Cleaning Supplies	1,200.00
2123	Medical Supplies (to be purchased through County Hospital, where possible)	200.00
2124	Clothing & Uniforms	850.00
2127	Other Operating Supplies	200.00
2141	Prisoner Subsistence	12,600.00
	Total	\$ 18,903.00
2300	Coroner:	
2301	Salary of Coroner	\$ 1,456.00
2305	Juror's Fees	180.00
2306	Medical Services	1,080.00
2314	Expense Allowance, Coroner	600.00
2341	Post Mortems	240.00
2350	Capital outlays	90.00
	Total	\$ 3,646.00
2400	Miscellaneous Public Safety:	
2412	Telephone—Lady's Island Fire Station, S. C. Highway Patrol, & S. C. Probation & Parole Board	\$ 900.00

Provided, that phone service shall be at base rate, not to include any long distance calls.

	Total	\$ 900.00
3000	Highways, Bridges, Landings, Docks and Drainage:	
3001	Salary of County Supervisor	6,825.00
3004	Other Wages	68,672.00
3006	Engineering Fees	1,000.00
3012	Telephone	400.00
3019	Repairs to Vehicles & Departmental Equipment	11,000.00
3021	Fuels & Lubricants	10,000.00
3027	Other Operating Supplies	15,000.00
3034	Insurance	1,500.00
3050	Capital Outlays	11,000.00
3051	Rights of Way & Borrow Pits	500.00
	Total	\$125,897.00
4000	Health Unit:	
4002	Salaries of Nurses and Sanitary Inspectors	
4003	Clerical Salaries	
4004	Janitor Salary	
4006	Medical Services	
4011	Heat, Lights and Water	
4012	Telephone	
4013	Rent, Repairs & Service Contracts on Office Equipment	
4014	Travel	
4015	Printing & Office Supplies	
4016	Postage	
4018	Repairs to Building	
4022	Household & Cleaning Supplies	
4023	Medical Supplies	
4027	Other Operating Supplies	
4041	Vital Statistics	
4049	Unclassified	
4050	Capital Outlays	
	Total	\$ 26,500.00

4100	Miscellaneous Health:		
4141	Mosquito Control	\$	5,000.00
	<i>Provided</i> , this amount shall be in addition to any funds received from any agency of the State or Federal Government.		
	Total	\$	5,000.00
5000	Department of Public Welfare:		
5001	Salary Supplement of Director	\$	1,500.00
5002	Salary Supplements		2,000.00
5012	Telephone		240.00
5014	Travel		600.00
5041	Emergency & Administrative Funds		1,560.00
5042	Foster Care Fund		300.00
	Total	\$	6,200.00
5100	Miscellaneous Public Welfare:		
5111	Expense allowance—County Service Officer	\$	1,200.00
	Total	\$	1,200.00
6000	Farm & Home Demonstration, White:		
6001	Salary of County Agent	\$	300.00
6002	Salary of Home Demonstration Agent		300.00
6003	Clerical Assistance		420.00
6012	Telephone		360.00
6041	Contingent Fund, County Agent		100.00
6042	Contingent Fund, Demonstration Agent ..		135.00
6043	4-H Camp		200.00
6048	Office Rent		1,341.90
	Total	\$	3,156.90
6100	Farm & Home Demonstration, Colored:		
6101	Salary of County Agent	\$	748.68
6102	Salary of Home Demonstration Agent		740.00
6103	Clerical Assistance		2,000.00
6112	Telephone		150.00
6127	Demonstration Supplies		100.00
6143	4-H Camps		200.00

6148	Office Rent	590.10
	Total	\$ 4,528.78
7000	Grants & Contributions:	
7100	National Guard Unit	\$ 500.00
7200	Beaufort County Civil Defense	4,075.00
7300	Beaufort County Chamber of Commerce ..	7,390.00
7400	Hilton Head Chamber of Commerce	3,700.00
7500	Beaufort Water Festival	1,500.00
7600	Recreation Contributions, Beaufort Town- ship	6,000.00
7700	Kate Gleason Memorial Park, Maintenance	1,000.00
7800	Port Royal Pilot Commission	100.00
7900	Beaufort County Historical Society Museum	500.00
	Total	\$ 24,765.00
8000	Personnel Benefits & Other:	
8032	Workmen's Compensation Insurance	\$ 2,600.00
8033	Surety Bonds	800.00
8034	Insurance—Other	300.00
8035	Social Security (FICA) Taxes	8,961.56
8036	S. C. Retirement System Contributions ..	8,601.64
8038	State Police Officers' Retirement	4,765.53
	Total	\$ 26,028.73
8100	Contingency Funds:	
8142	Board Contingency Fund	\$ 5,000.00
	<i>Provided</i> , this fund may be expended by the Beaufort County Board of Directors for contingencies arising under any appropri- ated item other than to increase salaries.	
8143	Delegation Contingency Fund	5,000.00
	Total	\$ 10,000.00
9000	University of South Carolina Extension:	
9011	Heat, Lights & Water	\$ 1,200.00
9012	Telephone	250.00
9013	Typewriter Repair Fee	210.00
9018	Building Maintenance	500.00

9027	Office Equipment, Supplies and Classroom Furniture	2,000.00
9028	Teaching aids & Laboratory Supplies	1,500.00
9034	Insurance	300.00
9041	Guarantee to University of South Carolina for Library Fee	4,000.00
9042	Unclassified	300.00
		<hr/>
	Total	\$ 10,260.00
9100	Beaufort County Library	\$ 23,000.00
	<i>Provided</i> , this appropriation is to be in addition to any grants, gifts, or supplements received from any other source.	
		<hr/>
	Total	\$ 23,000.00
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	GRAND TOTAL	\$526,365.79

SECTION 3. All purchases over two hundred dollars shall be made only with a purchase order approved by the county board of directors, or its duly authorized agent, after receipt of bids where practicable.

SECTION 4. The Beaufort County Board of Directors shall enter into an agreement with the South Carolina Aeronautics Commission for the operation and maintenance of the county airports.

SECTION 5. The Beaufort County Board of Directors is authorized to maintain and construct roadside parks and Litter Deposit Stations.

SECTION 6. Before any road shall be accepted by the board of directors for maintenance by the county, deeds of rights of way therein shall be obtained, conveying rights of way, meeting at least the minimum requirements of the S. C. State Highway Department with respect to state secondary highways, and no paved road shall be accepted which does not meet at least the minimum standards set by the S. C. Highway Department for its secondary roads.

Before any drainage ditch or canal is constructed a written easement shall be obtained from the landowner.

SECTION 7. The special tax assessor shall have the sole charge of and responsibility for the county's blueprint machine and shall charge for and collect a reasonable rental therefor when used for

other than county purposes, and remit to the county treasurer all such funds.

SECTION 8. The sheriff's department shall enforce the provisions of Act No. 47 of the Acts of 1955, as amended, and shall work with and assist the special tax assessor and the auditor in accomplishing the purposes of such act, and shall take out warrants and prosecute violations of the act.

SECTION 9. The members of the county board of directors shall be allowed nine cents per mile for actual distance traveled in attendance on meetings of the board and, in addition to such mileage, shall receive actual expenses not exceeding two dollars per day for each day in attendance on meetings of the board. The directors, showing mileage traveled and expenses incurred in attendance, shall file a statement with the clerk of the board of directors.

SECTION 10. The amount of money herein appropriated under Account No. 2100 for Jail Expenses shall include the dieting of prisoners and chain gang; *provided, further*, that the jailor shall diet all prisoners in his care for eighty-five cents per day for each prisoner. The jailor shall, at the end of each month, file with the county board of directors an itemized statement showing the number of prisoners dieted each day during the month, and he shall be reimbursed at the rate above provided. Prisoners from municipalities within Beaufort County may be lodged at a charge of one dollar and fifty cents per diem per prisoner, which total amount shall be credited to Account No. 2100.

SECTION 11. The appropriation for expenses of the Beaufort County Health Unit shall be paid out as directed by the State Health Officer.

SECTION 12. The appropriation for Social Diseases under the Beaufort County Health Unit shall not be used until the sum of two thousand five hundred dollars is made available by the State Board of Health, the Federal Government, or any agency thereof.

SECTION 13. The funds appropriated for Beaufort County Civil Defense shall be expended only after the approval of the budget by a majority of the legislative delegation, including the Senator.

SECTION 14. Building permits may be issued by the auditor, magistrates, or Sheriff of Beaufort County and shall identify the property

upon which the construction is proposed to be done in such manner as to enable the special tax assessor to determine the exact location thereof. The person issuing the permit shall assist the tax assessor in locating such property on the county tax maps.

On or before the tenth day of each month, a report of all building permits issued during the preceding month shall be filed with the special tax assessor and salary shall be withheld from any officer failing to comply with this paragraph.

SECTION 15. All monies paid to the Treasurer, the Sheriff or other public officials of Beaufort County, as interest on the deposit of funds in their custody, shall be accounted for by such officials as public funds are accounted for. The interest received on account of such deposit of funds shall be added to the principal of the fund.

SECTION 16. All claims upon accounts, special expense accounts and expenditures herein authorized to be paid by the county board of directors, the county board of education and all other county agencies, except the salaries of officials as fixed herein and salaries of school teachers, shall first be itemized and verified by the payee and filed in the office of the respective board or agency before being paid by same. All authorized mileage shall be paid at the rate of nine cents per mile.

SECTION 17. To finance the maintenance and operation of the public school system of Beaufort County for the school year 1964-1965, there is hereby appropriated the sum of two million, three hundred seventy-six thousand, seven hundred fifty-nine dollars, to be expended for the following purposes in the amounts indicated:

	<i>District No. 1</i>	<i>District No. 2</i>	<i>County Board</i>	<i>Total</i>
Administration	\$ 23,500	\$ 15,255	\$ 38,500	\$ 77,255
Transportation (county)	1,500	1,445	2,945
Instruction	1,694,429	227,909	1,922,338
Operation	111,157	26,745	850	138,752
Maintenance	54,000	19,500	900	74,400
Fixed Charges	14,000	3,700	125	17,825
Food Services (county)	19,500	5,387	24,887
Capital Outlay	20,600	3,500	1,500	25,600

	<i>District No. 1</i>	<i>District No. 2</i>	<i>County Board</i>	<i>Total</i>
Transportation				
(wash)	25,022	6,435	31,457
Lunchroom (wash)	54,000	54,000
Adult Education ...	6,000	1,300	7,300

Total Anticipated

Expense	\$1,969,708	\$ 311,176	\$ 95,875	\$2,376,759
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This appropriation is based upon estimated revenue from county, State and Federal sources, and if such funds estimated are not available the operating budget shall be reduced to conform to the revenue. Should any of the estimated revenues be increased, the appropriate item above may be increased proportionately.

All liquor, beer and wine tax, poll tax and dog tax accruing to the county shall be credited to the school fund from which the above appropriation is made, and all State aid to teachers' salaries accruing or paid to the county by the State, and all Federal aid under the Farm Veterans' program, the G. I. Training program, and the School Lunch program, and any other funds which may be available, shall be paid into the fund. There shall also be paid into the fund all other Federal aid accruing or paid to the county for school purposes. The auditor shall levy and the treasurer shall collect 38 mills for school purposes on all taxable property of the county.

The Beaufort County Board of Education is authorized to expend out of funds on hand so much as may be necessary to pave driveways and parking areas at the various schools within the county. Such paving shall be done pursuant to contracts let by the South Carolina State Highway Department.

SECTION 18. Neither the trustees nor the district superintendents of School Districts No. 1 and No. 2 of Beaufort County shall make any purchase or any contract for a purchase, nor shall they make any expenditure whatsoever of funds appropriated for school purposes, except upon the written approval of the county superintendent of education.

SECTION 19. For the operation and maintenance of Beaufort Memorial Hospital, there is hereby appropriated the sum of fifteen thousand dollars, if so much be necessary, to be paid to Beaufort Memorial Hospital in equal quarterly installments.

On the request of the Board of Regents, the Beaufort Memorial Hospital Association, or its duly authorized agent, the Sheriff of Beaufort County shall provide transportation from any part of Beaufort County to the Beaufort Memorial Hospital of charity patients in the event of an emergency or a great need for the early transportation of such patient or patients to the hospital for the emergency or urgent treatment, operation, etc.

SECTION 20. In order to facilitate the preparing of the county appropriations act by the legislative delegation, the county treasurer shall, on or before the first day of April of each year, in writing, report to the legislative delegation the amount of county funds coming into his hands during the preceding calendar year, giving the source of such funds. He shall further report the disbursements made by him during the preceding calendar year, showing the amounts disbursed on vouchers by the board of education, certificates or warrants of the clerk of court, and interest and principal paid on bonds. The county treasurer shall annually, not later than April first of each year, furnish the members of the legislative delegation with a detailed statement of the status of outstanding township and county-wide bonds, including school bonds.

The County Board of Education of Beaufort County shall, on or before the first day of April of each year, report to the legislative delegation, in writing, a detailed statement of all revenues allotted for school purposes for the preceding school fiscal year and all disbursements made by it for school purposes for the preceding fiscal year. It shall also furnish to the legislative delegation, on or before the first day of April of each year, an estimate of all anticipated revenues for the present school fiscal year. It shall also furnish to the legislative delegation an estimate of all revenues to be allotted or received for school purposes for the next school fiscal year, and also an estimate of all disbursements for the next school fiscal year.

SECTION 21. All transfers of funds heretofore made by the county treasurer from one account to another, made upon the written request of a majority of the Beaufort County Legislative Delegation, including the Senator, are hereby validated.

SECTION 22. Any motor vehicle confiscated pursuant to law by enforcement officials of Beaufort County and any motor vehicle abandoned on the highways of Beaufort County and unclaimed after the notice provided for by law may be retained by such confiscating

authorities for use in law enforcement purposes within the county. Funds derived from the sale of such vehicles shall be paid into the general fund of Beaufort County.

Provided, an inventory of all vehicles and equipment retained by the confiscating authority shall be furnished to the county board of directors semiannually.

SECTION 23. The Beaufort County Board of Directors may rent to any person the road equipment of Beaufort County under the following conditions:

(a) The county equipment must have been engaged in the performance of county work immediately preceding such rental at the site of the job or project for which it is desired to be rented;

(b) The equipment shall be operated by a county employee regularly employed for such purpose, and the rental of such equipment shall be charged for at the rate then prevailing in Beaufort County and the value of the work done shall not exceed fifty dollars.

Provided, that upon the board of director's determination that an emergency need for the equipment exists, the above limitations shall not apply.

Provided, further, that the above limitation shall not apply when rented to the State, any subdivision thereof, or municipality.

SECTION 24. The Treasurer of Beaufort County is hereby authorized, upon approval by a majority of the legislative delegation, including the Senator, to borrow for general county purposes not exceeding one hundred thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the Treasurer of Beaufort County. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual installments. The first installment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

For the payment of the note or notes, the Auditor of Beaufort County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the

interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 25. All funds not necessary for current operating expenses shall be deposited or invested as provided in Section 65-2015 of the 1962 Code.

SECTION 26. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1342, H2685)

No. 1161

An Act To Grant To Beaufort County All Right, Title, Interest And Estate Of The State Of South Carolina In And To So Much Of That Certain Piece Of Marsh And Filled Landing Area Lying North Of South Carolina Highway 170.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Beaufort County granted title to certain property.

—There is hereby granted unto Beaufort County all right, title, interest and estate now vested in the State of South Carolina, of, in and to that portion of the marsh and filled landing area containing 9.33 acres, more or less, and lying 100 ft. north of S. C. Highway 170 in Beaufort County as shown by a plat of Palmer and Malone, Inc., Civil Engineers, dated March 24, 1964, and recorded in Deed Book page, in the office of the Clerk of Court of Beaufort County, South Carolina. Upon the approval of this act, all right, title, interest and estate of the State of South Carolina, of, in and to the area above described, shall vest in Beaufort County, its successors and assigns, in fee simple, and the in-

terests herein conveyed shall be subject to the absolute control of the governing body of Beaufort County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R712, S497)

No. 1162

An Act To Authorize The Berkeley County School District To Borrow A Sum Not To Exceed One Hundred Thousand Dollars For School Purposes And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Berkeley County School District may borrow money.—The Berkeley County School District is authorized to borrow from the Division of Sinking Funds and Property not more than a sum not to exceed one hundred thousand dollars for school purposes. The loan shall be repaid in four annual installments at such rate of interest as may be mutually agreed upon between the borrower and the lender. The loan shall be evidenced by notes signed by the county supervisor and the county treasurer. Immediately upon the execution and delivery of the notes, the Auditor and the Treasurer of Berkeley County shall be notified with the method of payment and the interest rate. The auditor shall levy, and the treasurer shall collect, an annual tax on the property in the school district sufficient to meet the annual installments and interest thereon as they become due.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of February, 1964.

(R929, H2386)

No. 1163

An Act To Authorize Hanahan Public Service District Commission To Issue Not Exceeding Eight Hundred Thousand Dollars Of General Obligation Bonds Of Hanahan Public Service

District; To Prescribe The Purposes For Which The Proceeds Shall Be Used; To Make Provision For The Payment Of The Bonds; And To Rescind The Authorization To Issue General Obligation Bonds Set Forth In Act No. 957 Of 1960.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—1. The General Assembly finds that by Act No. 957 of 1960 it did define the boundaries of Hanahan Public Service District in Berkeley County (the district), and did provide certain methods by which the district might raise money for the purpose of installing a system for the collection, treatment and disposal of sewage and other wastes and to renovate its existing waterworks system. Pursuant to this act, and on the sixth day of November, 1962, there was submitted to the qualified electors of the district the question of the issuance of bonds of the district not exceeding seven hundred fifty thousand dollars. The question so submitted was as follows:

“Shall the Hanahan Public Service Commission be empowered to issue general obligation bonds of Hanahan Public Service District in a sum not exceeding Seven Hundred Fifty Thousand Dollars, the proceeds of which shall be used for the renovation of the existing waterworks system of the District and for the enlargement, extension and improvement of the sewage disposal system of the District?”

The election was duly and legally held and resulted favorably to the issuance of bonds by a vote of 619 to 385.

2. The results of the election were duly filed with the Clerk of Court for Berkeley County on November 13, 1962, and no question with respect to the result of the election or to the manner in which it was held has been raised by any suit or other form of action.

3. Prior to the election, much publicity was given to the plan then contemplated by Hanahan Public Service District Commission (the commission) by which bonds of the district should be paid, which plan contemplated that the bonds be additionally secured in the manner authorized by Act No. 957 of 1960 by a pledge of the revenues to be derived by the district from the imposition of a sewer charge and that the sewer charge be designed to produce all or almost all of the sums annually required for debt service.

4. Following the favorable results of the election, engineers were employed to provide detailed plans and specifications for the improve-

ments sought by the district and to advise the commission with respect to providing funds therefor. At the same time, the district commission negotiated and afterwards entered into a loan agreement with the Housing and Home Finance Agency of the United States Government under the terms of which, as last amended, the government agreed to purchase general obligation bonds of the district unsecured by any pledge of net revenues within certain limitations to the extent required to provide the district with funds to pay the costs of the contemplated project.

5. The engineers have now, after a lapse of several months, completed plans and specifications for the project, and at the same time have estimated that the cost of such improvements might require an outlay on the part of the district to the extent of eight hundred thousand dollars.

6. The General Assembly takes note of the fact that the district has continued to grow and the conditions sought to be corrected by Act No. 957 of 1960 still exist. It is satisfied that the election held on November 6, 1962, afforded full opportunity to all residents of the district to express themselves on the question of the issuance of general obligation bonds of the district, and that no further election should be required even though the amount authorized is increased, and the plan for their payment varied from that publicized prior to the election. It is therefore determined to authorize the commission to issue general obligation bonds of the district to the extent of eight hundred thousand dollars.

SECTION 2. Bond issue authorized.—In order to raise the sum required therefor, the commission is empowered to issue not exceeding eight hundred thousand dollars of general obligation bonds of the district, whose proceeds shall be used to construct a system for the collection, treatment and disposal of sewage and other waste, and to renovate and improve the existing waterworks system of the district and, to the extent required, to the payment of such interest on the bonds as may be capitalized.

SECTION 3. Denominations — dates — interest — redemption.—The bonds shall be issued as a single issue or, from time to time, as several separate issues. They shall be in such denomination and shall bear such dates as the commission shall determine, and the bonds of any issue shall mature in such equal or unequal annual installments as may be determined by the commission. They shall

be made payable at such place as the commission shall prescribe, and shall bear interest at such rate and payable in such manner as the commission may determine. The bonds may be registered, with the privilege to the holder of having them registered as to principal, on the books of the Treasurer of Berkeley County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this section may be made subject to redemption prior to its stated maturity on such terms and conditions, and with such redemption premium, as the commission shall prescribe.

SECTION 4. Sale.—The bonds shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale, and, at least ten days prior to any sale, notice announcing the intention to receive bids for the sale of such bonds shall be published in a newspaper of general circulation in this State. In offering the bonds for sale the commission shall reserve the right to reject any and all bids, and if all bids shall be rejected the commission may negotiate privately for the disposition of such bonds.

SECTION 5. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 6. Execution.—The bonds shall be executed in such manner as may be prescribed by the commission. *Provided*, however, that neither the members of the commission, nor any person signing the obligations, shall be personally liable thereon.

SECTION 7. Payment.—There shall be irrevocably pledged for the payment of the bonds and interest thereon, as the same mature, the full faith, credit and resources of the district, and the Auditor and Treasurer of Berkeley County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay the bonds and interest thereon as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities.

SECTION 8. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Berkeley County in a separate and special fund, and shall be expended upon the warrants

or orders of the commission for the purposes specified herein, and no others, except that any premium received shall be deposited with the treasurer and by him applied to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the treasurer to the first installment of interest becoming due on the bonds. Neither the purchasers of the bonds nor any subsequent holders thereof shall be responsible for the proper application of the proceeds of sale.

SECTION 9. Bonds not to be issued pursuant to Act 957 of 1960.—In view of the authorization herein granted, the authorization set forth in Act No. 957 of 1960 to issue general obligation bonds of the district is hereby rescinded so that the only authorization pursuant to which the commission may issue general obligation bonds of the district shall be the authorization set forth in this act.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R1309, H2187)

No. 1164

An Act To Provide for the Levy Of Taxes For General County Purposes And To Provide For The Levy Of Taxes For School Purposes For Berkeley County For The Fiscal Year Beginning July 1, 1964; To Direct The Expenditures For General County Purposes And To Provide For The Administration Of The Business Of Berkeley County.

Be it enacted by the General Assembly of the State of South Carolina :

PART I

SECTION 1. A tax of sixteen mills is hereby levied upon all the taxable property of Berkeley County for county purposes for the fiscal year beginning July 1, 1964, which, together with all the monies then in the hands of the county treasurer, or coming into his hands after July 1, 1964, from fines, forfeitures, fees, executions or otherwise, or in the bank or banks for the use of the county and not specifically pledged for some other purpose, shall be used and same

is hereby appropriated in the amount and for the purposes hereinafter stated:

Item 1. Roads and Bridges\$ 72,000.00

Total, Item 1\$ 72,000.00

Provided, all employees paid under this item shall receive a five per cent compensation increase.

Item 2. Salaries:

A. Clerk of Court\$ 8,750.00

B. Clerks to Clerk of Court (3) 9,900.00

C. Sheriff 5,000.00

Provided, the Sheriff shall receive an allowance of \$250.00 per month for travel and expenses. . 3,000.00

Provided, further, the Sheriff shall be furnished an automobile for official duties; and the Sheriff's office shall retain fees for service of papers.

Provided, further, funds derived from the sale of automobiles confiscated by the Sheriff's office shall be earmarked for the purchase of automobiles for this office; and the Sheriff's office may use automobiles confiscated rather than selling same.

D. Clerk to Sheriff 3,300.00

E. (a) Seven Deputy Sheriffs, including travel, uniforms and decals 25,200.00

(b) Radio system maintenance 500.00

Provided, a breakdown of this appropriation shall be approved by a majority of the county legislative delegation prior to disbursement.

(c) Radio-Teletype Operator 3,000.00

F. Tax Collector 4,000.00

Provided, the Tax Collector shall receive an allowance of \$200.00 per month for travel and expenses 2,400.00

Provided, further, the Tax Collector shall be furnished an automobile for official duties.

G. Clerk to Tax Collector 3,300.00

H. (a) Jailor 3,000.00

(b) Matron for Jail—\$25.00 per month 300.00

I. Treasurer (see proviso below) 2,000.00

J. Clerks to Treasurer (2)	6,600.00
K. Auditor (see proviso below)	2,000.00
L. Clerks to Auditor (2)	6,600.00
<i>Provided</i> , the Auditor and Treasurer shall receive, in addition to the respective salaries, the fees of their offices as provided by law; the salary paid them by the State, which is \$3,848.00, and the sum of \$600.00 each for travel	
	1,200.00
M. Probate Judge	4,000.00
<i>Provided</i> , the Probate Judge shall receive all fees of the office, including marriage license fees.	
N. Clerk to Probate Judge	3,300.00
O. (a) Master in Equity	2,000.00
<i>Provided</i> , the Master shall receive all fees of the office.	
(b) Office Expenses	1,500.00
P. Coroner	1,200.00
Q. Supervisor	5,000.00
<i>Provided</i> , the Supervisor shall also receive \$250.00 per month for travel	
	3,000.00
R. Clerk to Supervisor	3,300.00
S. Clerk to Solicitor	300.00
T. County Attorney	3,600.00
<i>Provided</i> , the County Attorney shall, upon official request, furnish legal advice and services to any person holding a county or school office.	
<i>Provided</i> , further, that he shall represent the county in all suits in which the county is named as party, and shall not appear as attorney against the county or any school unit thereof.	
U. Assistant Solicitor	600.00
V. Magistrates and Constables:	
(1) Eight Magistrates at \$720.00 each	5,760.00
(2) One Magistrate at County Seat	1,920.00
(3) One Magistrate at St. Stephen	1,320.00
(4) One Magistrate at Bonneau	1,320.00
(5) One Magistrate at Hanahan District	1,620.00
(6) One Magistrate at Jamestown	1,320.00
(7) One Magistrate at Goose Creek	1,320.00
(8) Office rent for Magistrates	1,800.00

Provided, that each magistrate before receiving his salary for any month shall file with the county treasurer, on or before the fifth day of the ensuing month, an itemized statement of all cases handled during the month for which he is being paid, showing the fines or sentences imposed or other disposition made of cases; and at such time shall pay over to the treasurer all fines or forfeitures collected for the county. His failure to do so shall cause the forfeiture of his salary for the month or months of such failure.

(9) Magistrates Constables 11,520.00

Provided, that no Constable is provided for the Magistrate at the county seat as processes issued by him shall be served by the Sheriff's office.

W. Janitors—Office Building and Courthouse 7,200.00

X. Special Beach Deputies 1,400.00

Y. Berkeley County Civil Defense 10,500.00

Provided, a budget showing details of this appropriation shall be approved by a majority of the county legislative delegation prior to disbursement.

Z. Salary and wage adjustments 7,077.50

Total, Item 2 \$171,927.50

Item 3. County Health Department:

Operation, Maintenance and Incidentals \$ 15,000.00

Total, Item 3 \$ 15,000.00

Item 4. County Boards and Farm Offices:

A. County Board of Education (\$100.00 each) ..\$ 600.00

B. (1) Nine County Tax Assessors 2,700.00

(2) Tax Board of Review 7,300.00

C. Boys' 4-H Club Work 300.00

D. Girls' 4-H Club Work and Women's Work .. 300.00

E. Clerk to Home Demonstration Agent (part time) 540.00

F. Clerk to County Agent (Supplement) 540.00

G. Demonstration Supplies, both offices 100.00

H. Stamps and Incidentals, both offices 50.00

I. Negro Agriculture Agent (Supplement) 720.00

J. Negro Home Demonstration Agent (Supplement)	720.00
K. Negro Boys' 4-H Club Work	300.00
L. Negro Girls' 4-H Club Work and Women's Work	300.00
M. Office expense—Negro Ag. and H. D. Agents ..	125.00
N. Clerical expense—Negro Ag. and H. D. Agents ..	1,500.00
O. Soil Conservation Committee	200.00
P. Supplement County Agent and Associate Agent for Travel, \$480.00 each	960.00
Q. Home Demonstration Agent and Assistant Agents for travel, \$480.00 each	1,920.00
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Total, Item 4	\$ 19,175.00
Item 5. Department of Public Welfare:	
A. Supplement to County Director's Salary	\$ 600.00
B. Travel for five Field Workers	2,000.00
C. Foster Home Care	1,500.00
D. Emergency Relief	2,000.00
E. Conference Attendance Expenses	75.00
F. Salary Supplement—Child Welfare Worker ...	1,200.00
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Total, Item 5	\$ 7,375.00
Item 6. Jail and Prisoners:	
A. Maintenance of Prisoners for dieting, etc., claims to be approved by Sheriff	\$ 6,000.00
B. Transporting Prisoners	500.00
<hr/>	
Total, Item 6	\$ 6,500.00
Item 7. Miscellaneous Appropriations:	
A. Jurors, Witnesses and Bailiffs	\$ 4,000.00
<i>Provided, that jurors at coroner's inquest shall receive pay in the same manner and amount as circuit court jurors.</i>	
B. Assistance to aged, helpless and poor by the county	\$ 4,000.00
C. Post-mortems, inquests and lunacies	1,000.00
D. Courthouse and County Office Building—Maintenance and Operation	18,000.00
E. Social Security, Retirement and Insurance	27,000.00

F. Printing, postage, record books and office supplies for county offices	8,000.00
<i>Provided</i> , prior to purchases desired hereunder, requisitions shall be made to the county supervisor and approved by him before such purchases shall be made.	
<i>Provided</i> , the county supervisor is hereby authorized and directed to purchase a Xerox machine for the clerk of court's office at a cost not to exceed \$10,000.00 and to provide for the financing of the purchase price of same on a three-year amortization plan, with such interest charges as may be agreed upon by the supervisor and the seller.	
G. Vital Statistics	675.00
<i>Provided</i> , that each registrar shall receive fifty cents per registration. No registrar shall receive less than twenty-five dollars per year.	
H. Berkeley County Library—salaries, operation and maintenance	18,000.00
<i>Provided</i> , a budget showing details of the appropriation shall be approved by a majority of the county legislative delegation prior to disbursement.	
I. Miscellaneous Contingent Fund	5,000.00
J. Supplement for County Board of Registration—\$350.00 each	1,050.00
K. Service Officer—travel and office expenses	600.00
<i>Provided</i> , that the Service Officer shall also be paid the full appropriation by the State for this office.	
L. County Development Board	7,500.00
M. Clerk to legislative delegation	3,300.00
Total, Item 7	<hr/> \$ 98,125.00
GRAND TOTAL—APPROPRIATIONS . . .	<hr/> \$390,102.50

Estimated Revenue:

State Sources:

One cent gasoline tax (less \$11,500.00 pledged for Purchase of Machinery)	100,000.00
Income Tax	40,000.00
Alcoholic liquor tax	35,000.00
Beer and wine tax	9,000.00
Insurance license tax	15,000.00
Bank Tax	1,000.00

Total derived from State Appropriations herein. \$200,000.00

County Sources:

Sixteen mills property tax executions and costs.	120,000.00
Road tax and executions	15,000.00
Fines, forfeitures and fees	40,000.00
Santee-Cooper payment in lieu of property taxes	15,500.00

Total derived from County Sources for Approp-
riations herein

190,500.00

GRAND TOTAL—ESTIMATED

REVENUE \$390,500.00

SECTION 2. For the purpose of providing hospital care for the indigent in Berkeley County, there is hereby levied a tax of four mills on all taxable property in Berkeley County. Such tax shall be levied and collected by the same officers and in the same manner as provided by law for the collection of taxes levied for corporate purposes in Berkeley County, and the monies so collected shall be placed to the credit of the Berkeley County Hospital, a private eleemosynary institution, and shall be paid by the county treasurer on warrants approved by the county supervisor. The funds provided herein are in addition to the allocation of fifty cents per capita from the income tax for hospital care under State law.

SECTION 3. All items herein which are to be paid out as salaries for officers or clerks of the county shall be expended in the usual manner in twelve equal monthly installments and not otherwise, and no more, and in case any officer or clerk, as aforesaid, shall resign, or otherwise vacate his or her office or position before the expiration of the fiscal year, he shall be entitled to monthly installments on a

pro rata basis for the month, or parts of month actually served, and no more; *provided*, that all appropriations herein for clerks shall only be paid to clerks regularly employed and serving in the office in which employed during the office hours of such office. Each of the clerks shall have five and one-half days annual leave per year and their absence from their respective offices for any cause other than sickness for any day or days beyond their period of annual leave shall cause their salary for such day or days to be deducted.

SECTION 4. It is hereby reaffirmed by the county legislative delegation that all purchase paid for by the county shall be made from business concerns within the county insofar as same is economically feasible and such purchases shall be fairly divided among the concerns in the county.

SECTION 5. For the purpose of paying in cash the foregoing and all other general, ordinary or special county expenses for the fiscal year beginning July 1, 1964, as authorized by this act, or otherwise appropriated, in anticipation of the collection of taxes, or the receipt of revenues from the State, the County Supervisor and County Treasurer of Berkeley County are hereby authorized to borrow, from time to time, as may be necessary in their judgment, on note or notes, or other evidences of indebtedness of the county, executed by the county officials from any person, firm or corporation, or from the Treasurer's Reserve Fund, or other dormant funds; and the sum or sums so borrowed shall constitute a valid claim against the county; and the monies derived from the sixteen mill tax levied in Section 1 hereof, the four mills levied in Section 2 hereof, the commutation tax and any State revenues, may be pledged to secure the payment thereof; and it shall not be incumbent upon the person, firm or corporation making such loan or loans to see that the monies loaned are applied for the purposes for which they are borrowed.

SECTION 6. The Treasurer of Berkeley County shall be and he is hereby authorized to refund to any taxpayer the amount of taxes for any year which may have been collected by error.

SECTION 7. The fees and costs to be paid to the county treasurer as provided by law shall be paid to the person holding such office at the time the delinquent taxes on which such fees and costs are chargeable were placed with the proper official for collection of same.

SECTION 8. For the purpose of providing for the maintenance and operation of Hanahan Public Service District, the Auditor of

Berkeley County shall levy a tax of not exceeding fifty mills, the exact millage to be specified by a resolution adopted by the commissioners of such district prior to July 1, 1964, and approved by a majority of the county legislative delegation, upon the taxable property within the territorial limits of such district, which, together with the funds and income of the district from all sources, shall be used to carry out the duties and functions of the commission of the district, all or any of them, as provided in Act No. 784 of the Acts of 1942, creating the district and commission, and all amendments thereto. The tax shall be levied and collected by the same officers and in the same manner as is provided for the collection of taxes levied for corporate purposes in Berkeley County, and the monies so collected shall be placed in separate funds by the county treasurer and paid out on warrants of the commissioners of the district.

SECTION 9. The Berkeley County Board of Education is authorized to continue the employment of W. M. Bonner, Sr., notwithstanding the age requirement of the State Retirement System.

SECTION 10. In keeping with the established policy of allowing new industry five years' exemption from payment of taxes levied for county purposes, Craver Industries, Inc., is hereby exempted from the payment of property taxes for the year 1964 levied for county purposes. (A similar exemption will be carried for the next year.)

SECTION 11. All county offices may be closed at twelve noon on each Wednesday during the months of June, July and August.

SECTION 12. The amount appropriated in Section 1, Item 2, Sub-item Z, herein shall be used to provide a uniform five per cent compensation increase for all county officials and employees.

PART II

TAX LEVY FOR SCHOOL PURPOSES

SECTION 1. There is hereby levied on all the taxable property of The Berkeley County School District for the calendar year 1964 a tax of forty mills, the proceeds of which shall be used for general school purposes for the fiscal year 1964-1965, such purposes to be set forth in the county school budget for such fiscal year to be adopted as provided by law. The tax shall be assessed and collected as other property taxes are assessed and collected.

PART III

The county treasurer and the county supervisor are authorized to borrow fifty thousand dollars for general county purposes, with repayment of principal and interest in three equal, annual installments.

PART IV

This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R829, H2274)

No. 1165**An Act To Make Supplemental Appropriations For The Fiscal Year 1963-1964 From The General Fund Of Calhoun County.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriations for the fiscal year 1963-1964 are made from the General Fund of Calhoun County:

Roads and Bridges	\$7,369.26	
Sheriff's Travel	200.00	
Supervisor's Travel	200.00	
Retirement	600.00	
Public Buildings	2,500.00	
Court House Supplies and Repairs...	2,000.00	(1,500. for roofs)
Contingent	1,000.00	
Hospitalization	2,000.00	
Group Insurance	30.00	
Social Security	1,300.00	
Insurance on Autos	160.00	
Fire Insurance	150.00	
		\$17,509.26

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R842, H2273)

No. 1166

A Joint Resolution To Extend The Season For The Hunting Of Quail In Calhoun County During The Year 1964.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Quail season in Calhoun County.—Notwithstanding any provision of law to the contrary, the open season for the hunting of quail in Calhoun County is extended through March 14, 1964.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R873, H2322)

No. 1167

An Act To Authorize The Mayor And Town Council Of The Town Of Cameron To Borrow Not Exceeding Three Thousand Dollars For Improving And Maintaining The Water Works Of The Town, And To Provide For The Repayment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Cameron may borrow money.—The mayor and town council of the Town of Cameron, in Calhoun County, are authorized to borrow a sum of money not to exceed three thousand dollars for the purpose of improving and maintaining the water works of the town.

SECTION 2. Execution of notes.—The indebtedness shall be evidenced by a note or notes of the town to be executed by the mayor and the town clerk and treasurer. The note or notes shall be paid within four years from their date or dates.

SECTION 3. Payment.—The full faith, credit and taxing power of the town are hereby irrevocably pledged for the repayment of the note or notes and the interest thereon as the same may become due.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1964.

(R1013, H2473)

No. 1168

An Act To Authorize The State Highway Department And The South Carolina Wildlife Resources Department To Enter Into An Agreement For The Construction Of Roads And Recreation Facilities In Calhoun County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Highway Department and Wildlife Resources Department may make agreement to construct roads and recreational facilities in Calhoun County.—The State Highway Department and the South Carolina Wildlife Resources Department are authorized to enter into a cooperative agreement for the construction of access roads and recreation facilities in Calhoun County.

The agreement may provide for the State Highway Department to prepare the necessary plans; provide construction engineering and inspection; and award the necessary construction contracts, subject to the written approval of the South Carolina Wildlife Resources Department. All such contracts shall provide for payments for work performed to be made by the South Carolina Wildlife Resources Department from its funds. Upon completion of the construction work, the State Highway Department shall reimburse the South Carolina Wildlife Resources Department out of Farm-to-Market Construction Funds apportioned to Calhoun County not exceeding the actual cost of constructing any such secondary roads or one-half the total cost of the roads and recreation facilities included in the cooperative agreement; whichever is the lesser. The State Highway Department shall pay from its Farm-to-Market Construction Funds apportioned to Calhoun County the cost of engineering and inspection. The roads shall become a part of the State Highway Secondary System upon their completion.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1357, H2115)

No. 1169

An Act To Provide For The Levy Of Taxes For Ordinary County And School Purposes For Calhoun County For The Fiscal Year 1964-1965, And For The Expenditures Thereof, And To Provide For Any And All Matters Pertaining To The Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There shall be levied upon the taxable property of Calhoun County for the purposes hereinafter specified:

School District No. 1: 37 mills for the operation of the schools in said district.

School District No. 2: 40 mills for the operation of the schools in said district.

SECTION 2. For county purposes for Calhoun County for the fiscal year 1964-1965, the sums hereinafter specified are appropriated for the purposes stated and the auditor of the county is authorized to levy, and the treasurer to collect, a tax of eight mills upon all the taxable property of Calhoun County to meet the appropriations herein made for general county purposes after deducting all other available income and revenue.

For construction and maintenance of roads and bridges and the support of county chain gang and floating gangs	\$ 32,000.00
<i>Provided</i> , that all salaries paid from this item shall be increased by five per cent over the rate paid for the year 1963-1964.	
Clerk of Court	4,987.50
Deputy Clerk of Court	2,287.00
Sheriff—salary to be in lieu of all fees for services rendered to the county	4,987.50
Travel allowance and automobile repairs for Sheriff (if so much be necessary)	800.00
Deputy Sheriffs—2 @ \$2,835.00 each	5,670.00
Travel allowance for deputies for use in their own cars—\$1,410.00 each	2,820.00
Auditor	947.00
Treasurer	947.00
Clerical Assistance, Auditor	2,287.00

Clerical Assistance, Treasurer	1,039.50
Clerical Assistance, Superintendent of Education ...	100.00
Travel allowance, Superintendent of Education	200.00
Attorney for County	693.00
Coroner	693.00
Travel allowance for Coroner	60.00
Supervisor	4,987.50
Travel allowance for Supervisor, if so much be necessary	800.00
Two County Commissioners, \$825.00 each	1,732.50
Clerk to Board of County Commissioners	2,287.00
Judge of Probate	4,987.50
Constables:	
First District	1,386.00
Second District	866.00
Third District	866.00
<i>Provided</i> , each magistrate's constable in the county shall be paid fifteen dollars monthly as a travel expense	540.00
Magistrates:	
First District	1,732.50
Second District	1,109.00
Third District	1,109.00
Office Rent—Third District	120.00

Provided, the compensation provided for magistrates and constables is in lieu of all fees payable by the county to which any and all of them may be entitled, except in cases of violation of the worthless check law, and they shall have authority to charge and receive the following fees, which shall be in addition to their salaries: magistrates, one dollar, constables and sheriff, one dollar and mileage, as provided in Section 27-451 of the 1962 Code, when prosecution in such cases is discontinued by settlement or compromise.

Provided, further, that the magistrates at Cameron and Lone Star shall give bonds in the sum of five hundred dollars, and the magistrate at St. Matthews shall give bond in the sum of one thousand dollars, conditioned upon the faithful performance of his du-

ties and the premium paid thereon out of the county contingent fund.

Tax Collector	520.00
Travel Allowance, Tax Collector	150.00
Board of Education	500.00
Board of Equalization	300.00

Provided, members of the board shall be paid six dollars per day.

Jail expenses, including dieting of prisoners	1,200.00
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Provided, the Sheriff shall be allowed one dollar per day for dieting prisoners.

Jurors, Bailiffs, Deputy Clerks and Witnesses	1,500.00
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Provided, jurors in the general sessions and common pleas courts shall receive six dollars per day, and jurors in the magistrates' courts and coroner's inquests shall be paid three dollars per day, to be paid as now provided by law.

D.P.W. Emergency Fund	200.00
Contribution to Tuberculosis Work	800.00
Travel Allowance, County Lunch Supervisor	300.00
Rent, School Commodities Storage	300.00
Travel Allowance, Attendance Supervisor	300.00
Travel Allowance, County Service Officer	300.00
Post Mortems and Inquests	100.00
Burial of County Poor	100.00

Lunacies (to be used for medical examination and transportation)	150.00
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Boys' 4-H Club	75.00
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Girls' 4-H Club	75.00
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Expense, Soil Conservation Supervisor	100.00
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Home Demonstration Agent—supplies, contingent, stamps, etc.	100.00
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Farm Agent—supplies, contingent, stamps, etc.	100.00
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Farm Agent's salary supplement	630.00
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Home Demonstration Agent's salary supplement ..	315.00
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Clerical Assistant for Home Demonstration Agent and County Agent	630.00
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County Libraries	8,441.00
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To be expended by a committee of four in charge of such library, to be appointed by the legislative delegation.

For retirement of county officers and employees, if so much be necessary	4,745.00
Workmen's Compensation Premium	1,800.00
Public Buildings, including janitor, water, lights, telephones and fuel	6,000.00
<i>Provided</i> , the same to be used for county purposes only.	
Printing, postage, stationery, supplies and repairs for county buildings, including salary of \$300.00 per year to the county supervisor as custodian of such buildings	5,000.00
<i>Provided</i> , the fund for public buildings and supplies shall be expended for the officers and offices of the courthouse and office buildings on the approval of the supervisor, and when so approved by him shall be paid by the county board of commissioners.	
Miscellaneous Contingent	4,000.00
<i>Provided</i> , such funds shall be disbursed only upon written consent and with the authority of the legislative delegation.	
Jailor	2,079.00
Premiums on bonds for county officers	350.00
Hospitalization fee	6,000.00
<i>Provided</i> , that the county shall pay such per diem costs as may be agreed upon by the county board of commissioners for charity patients, with notice to any hospital to which such patient may be sent that such payments will stop when the above amount has been exhausted and the county assumes no further responsibility for such aid. The expenditure made under this item shall be under the county board of public welfare, which shall investigate each case and only approve such aid where the applicant is unable to pay for treatment and would suffer unless the county so provides; the board shall prorate this appropriation over the twelve-month period and, if necessary, shall limit aid to emergency cases involving serious danger to life and health.	
County Health, if so much be necessary	7,710.00
Vital Statistics	300.00

County share, Group Insurance	630.00
Historical Commission	2,079.00
To be advanced in installments as may be approved by the county board of commissioners.	
Social Security	3,100.00
Insurance on Sheriff's and Supervisor's automobiles	401.00
Fire Insurance on county buildings	2,053.91
Auditing the county affairs, 1963-1964	675.00
Rabies Control Officer, travel	450.00
<i>Provided</i> , this sum shall be paid in monthly install- ments.	
National Guard Armory, Supplies and Company Fund	1,000.00
Development Board	500.00
Expense for circuit court solicitor	200.00
Clerical help, Judge First Judicial Circuit	400.00
County Civil Defense (if so much be necessary) ...	500.00
<i>Provided</i> , that all expenditures from this fund shall be subject to the written approval of the legislative delegation.	
GRAND TOTAL	\$150,200.41

SECTION 3. The county board of commissioners (including the supervisor) is directed to work all roads, streets, alleys and public parking areas in the towns and villages, incorporated or unincorporated, in Calhoun County; and may, in its discretion, perform such work in and around other county and municipal buildings, parks, public landings and facilities as may be deemed necessary and advisable.

SECTION 4. All disbursements for travel allowance and for repairs for county-owned cars shall be evidenced by itemized statements that have actually been paid and so marked.

SECTION 5. If any of the sums abovementioned, or any portion thereof, are not used or expended for the specific purposes for which appropriated, the whole or any balance shall be expended only upon written authorization of the Legislative Delegation of Calhoun County.

SECTION 6. It shall be unlawful for any officer of this county to approve or pay any claims against the county, or any school district,

unless the funds are on hand for the payment of same, and also it shall be unlawful for the county board of commissioners to exceed the appropriations made for the several items in this act, unless authorized by the county delegation, and any county officer violating the provisions of this act shall be liable for such violations on his official bond; *provided*, however, that the county treasurer and supervisor are hereby authorized and empowered to borrow so much money as is necessary to defray the county expenses, not exceeding the total amount herein appropriated, and are authorized to pledge the taxes, when so collected, for the payment of the same; *provided*, further, that all monies coming into the county treasury to the credit of the county by reason of contracts made and work done by the county or its authorities in the working or building of roads and bridges may be used and expended by the board of commissioners in the maintenance and support of the county chain gang and in building bridges and maintenance of roads, permanent and otherwise.

SECTION 7. The board of county commissioners shall pay the regular commercial rate for publication of quarterly reports.

SECTION 8. The supervisor shall have entire oversight and care of the courthouse building and grounds, and he shall supervise the care of same, and the janitor for the courthouse shall be employed by the supervisor, and it shall be his duty to supervise the janitor and see that he keeps the courthouse grounds in proper condition; *provided*, however, the sheriff shall have entire oversight and care of the jail and he shall employ the jailor for the same.

SECTION 9. The county board of commissioners shall appoint a bank as a depository in which the county treasurer shall deposit all monies coming into his hands as an officer, which appointment shall be by proper resolutions spread upon the minutes of the board. Such board shall from time to time, by resolution spread upon its minutes, make such requirements as may be deemed necessary for the safety of such funds so deposited, not inconsistent with the general laws of the State. If any of such funds are dissipated or lost by reason of the insolvency or failure of any such depository, then such dissipation or loss shall not constitute a liability on the official bond of the county treasurer nor a liability on the sureties thereon. In the event of the dissipation or loss of any such funds because of such

insolvency or failure the county and State shall have a preferred claim against such bank for the amount of such dissipation or loss.

SECTION 10. All appropriations made herein are subject to the right and authority of the Calhoun County Legislative Delegation to change, alter, or deduct therefrom at any time, without notice, when in its judgment such change, alteration or deduction is necessary for the best interests of the county, and to conform with revenue expected during the life of this act. *Provided*, that the change made by the delegation pursuant to the authority herein conferred shall not operate to increase the total amount appropriated.

SECTION 11. All fees collectible by law by the auditor, treasurer, clerk of court and judge of probate shall be collected by such officers and placed by them in the treasury of the county to the credit of the general fund. Each officer shall keep a record of all fees collected for auditing purposes and on or before the tenth day of each month shall remit all fees collected in the preceding month.

SECTION 12. Appropriations of State Aid for Teachers' Salaries, and all other school district, county and State appropriations for the operation of the public school system, shall cease and become inoperative for any school from which, and for any school to which any pupil may transfer pursuant to, or in consequence of, an order of any court, for the time that the pupil shall attend a school other than the school to which he was assigned before the issuance of such court order.

SECTION 13. Of the amounts appropriated in this act as salaries for law enforcement officers, an amount of five dollars per day for each such officer is hereby designated as subsistence for each day of active law enforcement duty.

SECTION 14. All county offices shall be open between the hours of 9 a. m. and 5 p. m., during the week, except on Wednesdays and Saturdays, when they shall close at 1 p. m., and on holidays, and with the further exception of offices with only one officer, and it is necessary for him to be out in the field on work in regard to his office. *Provided*, in the event of an emergency the offices may be closed with the approval of the legislative delegation.

SECTION 15. This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R700, H1960)

No. 1170

An Act To Authorize The County Council Of Charleston County To Issue Not Exceeding Two Hundred Fifty Thousand Dollars Of Capital Improvement Notes Of Charleston County; To Prescribe The Purposes For Which The Proceeds Shall Be Used; To Make Provision For The Payment Of The Notes; And To Repeal Act No. 472 Of The Acts Of The General Assembly For The Year 1963, Relating To The Issuance Of One Hundred Fifty Thousand Dollars Of General Obligation Notes Of Charleston County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that the County Council of Charleston County (County Council) must raise immediately the sum of two hundred fifty thousand dollars in order that it may have on hand the funds required for the construction of an appropriate building for the Department of Public Works of Charleston County and to pay for the acquisition of the Timrod Hotel property, located immediately north of the Charleston County Courthouse on the west side of Meeting Street in the City of Charleston. It has, therefore, determined to permit County Council to borrow such sum through the sale of the obligations authorized by this act and to dispense with the procedure prescribed for County Council by Sections 14-1167 and 14-1168, Code of Laws of South Carolina, 1962, relating to manner in which County Council may act.

SECTION 2. Charleston County may construct Public Works building.—County Council is hereby authorized to construct and equip a building for the Department of Public Works of Charleston County. It is further authorized to acquire, for county purposes, the Timrod Hotel property on Meeting Street, in the City of Charleston, and all action heretofore taken with respect to the acquisition of the Timrod Hotel property, or with respect to the financing of such acquisition, is hereby ratified, validated and approved. Any note or other obligation given in connection with the acquisition is likewise validated and declared to be the unconditional direct obligation of Charleston County.

SECTION 3. Notes may be issued.—In order to provide funds for these purposes, County Council is hereby authorized to issue general

obligation notes of Charleston County (Capital Improvement Notes) to the extent of two hundred fifty thousand dollars.

SECTION 4. Form — denominations — dates — maturity.—The notes shall be of such tenor, form and denomination, and shall bear such date, as County Council shall determine, and may be in the form of a single fully registered note. The indebtedness evidenced thereby shall be repayable on such occasions as County Council shall prescribe, except that the last maturing instalment thereof shall mature not later than five years after the date of the notes.

SECTION 5. Redemption.—The notes issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by County Council, but no note or any part thereof shall be redeemable before maturity unless it contains a statement to that effect. If notes are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the notes, specifying the manner of call and the notice thereof that must be given.

SECTION 6. Where payable.—The notes issued pursuant to this act shall be made payable at such places, within or without the State, as County Council shall provide.

SECTION 7. Interest.—Notes issued pursuant to this act shall bear interest at rates determined by County Council.

SECTION 8. Execution.—The notes issued pursuant to this act shall be executed in the name of Charleston County by the Chairman of County Council and attested by the Treasurer of Charleston County under the Seal of County Council.

SECTION 9. Sale.—Notes issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all notes issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Charleston County

shall be irrevocably pledged, and there shall be levied annually by the Auditor of Charleston County, and collected by the Treasurer of the County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in Charleston County, sufficient to pay the principal and interest of such notes as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of any notes issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 12. Proceeds.—The proceeds derived from the sale of any notes issued pursuant to this act shall be paid to the Treasurer of Charleston County, and shall be deposited in a special account, and shall be expended and made use of as follows:

(a) The accrued interest, if any, shall be applied to the payment of the first instalment of interest to become due.

(b) The premium, if any, shall be applied to the payment of the first instalment of principal.

(c) The remaining proceeds shall be expended on the warrant of County Council to defray any costs incurred in issuing the notes and to pay for the projects authorized by Section 2 of this act.

(d) If any balance remains it shall be held by the Treasurer of Charleston County and applied to the payment of the notes.

SECTION 13. Powers to be additional.—The powers and authorizations hereby conferred upon County Council shall be in addition to all other powers and authorizations previously vested therein. The action to be taken by County Council in effecting the issuance of the notes authorized by this act may be taken at any special or any regular meeting of County Council and may be in the form of a resolution to take effect immediately upon its adoption at the meeting at which it is presented, notwithstanding that the procedure herein authorized differs from that prescribed by Sections 14-1167 and 14-1168, Code of Laws of South Carolina, 1962.

SECTION 14. Act 472 of 1963 repealed.—In view of the authorizations granted by this act, Act No. 472 of 1963 is repealed.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R826, H2234)

No. 1171

An Act To Amend Section 3 Of Act No. 964 Of 1960, Which Empowered The James Island Public Service District Commission To Expend Certain Moneys, So As To Further Prescribe The Purposes For Which Such Money May Be Expended.

Whereas, by Act No. 964 of the Acts of 1960 the General Assembly empowered James Island Water Commission (the Commission) to dispose of the Waterworks System of James Island Water District to the Commissioners of Public Works of the City of Charleston (The Commissioners), and did therein provide that any cash moneys received by the Commission from The Commissioners should be expended for such extensions to the James Island Waterworks System as the Commission should direct. By Section 16 of Act No. 498 of the Acts of 1961 James Island Public Service District Commission (the District Commission) succeeded to the powers and duties of the Commission. As a consequence the District Commission has received funds formerly belonging to the Commission and which are subject to expenditure as provided above.

James Island Public Service District requires studies for sewage disposal facilities and may require further expenditures for its fire protection system. For that reason the General Assembly has determined to empower the District Commission to expend moneys received from the source above described for any proper corporate purpose of the District Commission and as a means of so empowering the District Commission has determined to amend Section 3 of Act No. 964 of the Acts of 1960 to accomplish that purpose. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 964 of 1960 amended—when conveyance may be made—use of funds.—Section 3 of Act No. 964 of 1960 is amended by adding thereto the following proviso: "*Provided*, that any moneys which James Island Public Service District Commission, as established by Act No. 498 of 1961, received as a consequence of the conveyance by the Commission to The Commissioners may be expended by James Island Public Service District Commission for any corporate purpose of such Commission. *Provided*, further, that no such funds shall be expended without the approval of a majority of the county legislative delegation." The section when amended shall read as follows:

“Section 3. The conveyance authorized by this act may take place on or after March 2, 1960, and if subsequent to March 2, 1960, may be made as of March 2, 1960, if the parties shall so provide. Upon conveyance of the System by the District, the Commission shall be empowered to utilize all moneys in their hands, not required for expenses of maintenance and operation or for expenses incident to the conveyance herein authorized, including the payment contemplated to be made by the Commission for fire hydrant maintenance, for the extension of water mains of the System, and the Treasurer of Charleston County is authorized and empowered to honor warrants or orders upon him directing withdrawals of all funds in his hands for all or any of said purposes. *Provided*, that any moneys which James Island Public Service District Commission, as established by Act No. 498 of 1961, received as a consequence of the conveyance by the Commission to The Commissioners may be expended by James Island Public Service District Commission for any corporate purpose of such Commission. *Provided*, further, that no such funds shall be expended without the approval of a majority of the county legislative delegation.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R927, H2371)

No. 1172

An Act To Authorize The Board Of Trustees Of James Island School District No. 3 Of Charleston County, The State Of South Carolina, To Issue General Obligation Bonds Of The School District In An Amount Not Exceeding Seventy Thousand Dollars, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that there exists an immediate need for additional classrooms and related facilities in the public school system operated by

James Island School District No. 3 of Charleston County (hereafter called the school district), and has determined to permit the board of trustees of the school district (hereafter called the board) to construct and equip them with the proceeds of the bonds authorized by this act.

SECTION 2. Bond issue authorized.—The board may construct additional classrooms and related facilities for the school district. In order to raise moneys therefor, the board may issue and sell general obligation bonds of the school district (without the necessity of holding any election), in an amount not to exceed seventy thousand dollars, if on the particular occasion that they are issued the applicable constitutional debt limitation shall not be exceeded.

SECTION 3. Maturity.—All bonds shall mature in such annual series or instalments as the board shall provide, except that the first maturing bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no bond shall mature later than twenty years from the date of issue.

SECTION 4. Redemption.—Any bond may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Charleston County, upon such conditions as the board may prescribe. When so registered, all bonds shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The bonds shall be made payable at such places, within or without the State, as the board shall provide.

SECTION 7. Interest.—The bonds shall bear interest at rates determined by the board.

SECTION 8. Execution.—The bonds and the coupons to be thereunto attached shall be in such denomination and shall be executed in such manner as the board shall prescribe by resolution.

SECTION 9. Sale.—The bonds shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the school district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Charleston County, and collected by the Treasurer of Charleston County, in the same manner as county taxes are levied and collected, on all taxable property in the school district, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of the bonds shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds shall be paid to the Treasurer of Charleston County, to be deposited in a bond account fund for the school district, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the board, for the following purposes:

(1) To defray the costs of issuing the bonds authorized by this act;

(2) To provide for additional public school facilities for the school district in the manner contemplated by Section 2 of this act.

(d) If, after the final completion of the board's program, the board shall certify to the Treasurer of Charleston County that any

remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers to be additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

SECTION 14. No further action required.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R928, H2372)

No. 1173

An Act To Authorize The Board Of Trustees Of Moultrie School District No. 2 Of Charleston County, The State Of South Carolina, To Issue General Obligation Bonds Of The School District In An Amount Not Exceeding Eighty Thousand Dollars, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that there exists an immediate need for additional classrooms and related facilities in the public school system operated by Moultrie School District No. 2 of Charleston County (hereafter called the school district), and has determined to permit the board of trustees of the school district (hereafter called the board) to construct and equip them with the proceeds of the bonds authorized by this act.

SECTION 2. Bond issue authorized.—The board may construct additional classrooms and related facilities for the school district. In order to raise moneys therefor, the board may issue and sell general obligation bonds of the school district (without the necessity of holding any election), in an amount not to exceed eighty thousand dollars, if on the particular occasion that they are issued the applicable constitutional debt limitation shall not be exceeded.

SECTION 3. Maturity.—All bonds shall mature in such annual series or instalments as the board shall provide, except that the first maturing bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no bond shall mature later than twenty years from the date of issue.

SECTION 4. Redemption.—Any bond may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Charleston County, upon such conditions as the board may prescribe. When so registered, all bonds shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The bonds shall be made payable at such places, within or without the State, as the board shall provide.

SECTION 7. Interest.—The bonds shall bear interest at rates determined by the board.

SECTION 8. Execution.—The bonds and the coupons to be thereunto attached shall be in such denomination and shall be executed in such manner as the board shall prescribe by resolution.

SECTION 9. Sale.—The bonds shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the school district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Charleston County, and collected by the Treasurer of Charleston County, in the same manner as county taxes are levied and collected, on all taxable property in the school district, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of the bonds issued shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds shall be paid to the Treasurer of Charleston County, to be deposited in a bond account fund for the school district, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the board, for the following purposes:

(1) To defray the costs of issuing the bonds authorized by this act;

(2) To provide for additional public school facilities for the school district in the manner contemplated by Section 2 of this act.

(d) If, after the final completion of the board's program, the board shall certify to the Treasurer of Charleston County that any remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers to be additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

SECTION 14. No further action required.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R988, H2446)

No. 1174

An Act To Amend Section 1 Of Act 521 Of 1957, As Amended, Relating To The North Charleston Consolidated Public Service District, So As To Enlarge The District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 521 of 1957 amended — North Charleston consolidated Public Service District created—area.—Section 1 of Act 521 of 1957, as last amended by Act 974 of 1960, is further amended by striking it out and inserting the following:

“Section 1. There is hereby created, through the consolidation of the existing public service districts in Charleston County known as St. Phillips & St. Michaels Public Service District and North Charleston Public Service District, and by additionally incorporating therein certain areas adjacent thereto, which are set forth and delineated on the plat hereafter referred to, a district hereby designated as North Charleston Consolidated Public Service District (hereafter called the ‘District’). The District shall include and be comprised of so much of that portion of Charleston County lying generally to the North of the boundaries of the City of Charleston as is set forth and delineated on a map or plat thereof made by the Charleston County Planning Board, and recorded in the R.M.C. Office for Charleston County on the ninth day of March, 1964, in Plat Book R, page 28.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R1023, H2526)

No. 1175

An Act To Amend Section 2 Of Act No. 443 Of 1949, As Amended, Relating To The St. Andrews Public Service District In Charleston County, So As To Enlarge The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 443 of 1949 amended—area.—Section 2 of Act No. 443 of 1949, as amended by Act No. 1055 of 1962, is further amended by striking the period at the end thereof and adding the following: “and also that area lying north of the present boundary of the St. Andrews Public Service District and east of South Carolina Highway 61, as shown and delineated on a plat by A. L. Glen, R.E.G.P.E. and L.S., entitled ‘Map of Drayton Tract Owned By Williams Furniture Corp.’ which plat was recorded in the register of mesne conveyances for Charleston County in Plat Book R, page 27.” The section when amended shall read as follows:

“Section 2. The aforementioned districts shall include and be comprised of the territory and areas in St. Andrews Parish, Charleston County, as delineated on a plat of St. Andrews Public Service District which was recorded in the office of the register of mesne conveyances for Charleston County on March 21, 1962, in Plat Book ‘N’ at page 101 and also that area lying north of the present boundary of the St. Andrews Public Service District and east of South Carolina Highway 61, as shown and delineated on a plat by A. L. Glen, R.E.G.P.E. and L.S., entitled ‘Map of Drayton Tract Owned by Williams Furniture Corp.’ which plat was recorded in the register of mesne conveyances for Charleston County in Plat Book R, page 27.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1140, H2537)

No. 1176

A Joint Resolution Proposing An Amendment To Section 5, Article X, Of The Constitution Of South Carolina, 1895, Relating To Taxes For Corporate Purposes, So As To Increase The Bonded Debt Limitation For James Island School District No. 3 Of Charleston County, The State Of South Carolina, From Eight Per Cent To Fifteen Per Cent Of The Assessed Value Of All Taxable Property Therein.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of James Island School District 3.—There is proposed the following amendment to Section 5, Article X, of the Constitution of South Carolina, 1895: Add at the end thereof the following: “*Provided*, that the limitations imposed by Section 5, Article X, are removed for James Island School District No. 3 of Charleston County, the State of South Carolina, and such District may incur bonded indebtedness of not exceeding fifteen per cent of the assessed value of the taxable property in the District. Indebtedness incurred within this limitation shall not affect or limit the power of Charleston County or other political subdivisions or municipal corporations covering or extending over any portion of the territory of the District to incur bonded indebtedness.”

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts throughout the State, with the following words printed or written thereon: “Shall Section 5, Article X, of the Constitution of South Carolina, 1895, be amended so as to permit James Island School District No. 3 of Charleston County, the State of South Carolina, to incur bonded indebtedness up to fifteen per cent of the assessed value of the taxable property therein?”

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of the amendment’, and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to the amendment’.”

Ratified the 15th day of April, 1964.

(R1175, H2657)

No. 1177

A Joint Resolution Proposing An Amendment To Section 13, Article II, Of The Constitution Of South Carolina, 1895, So As To Permit Elections To Be Held In The City Of Charleston Upon The Question Of Incurring Bonded Indebtedness For Any Corporate Purpose Without There Being First Presented To The City Council Of The City Of Charleston A Petition Signed By A Majority Of The Freeholders Of The City Seeking And Authorizing The Holding Of Such Elections.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article II, Section 13, State Constitution, proposed—City of Charleston may hold election concerning bonded indebtedness without petition.—There is proposed the following amendment to Section 13, Article II, of the Constitution of South Carolina, 1895: add at the end thereof the following: “*Provided*, that the General Assembly need not prescribe any such petition of freeholders as a condition precedent to the holding of any such election in the City of Charleston where the proceeds of the bonds to be authorized are used for any corporate purpose of the City of Charleston. It is intended that the term ‘City of Charleston’ as used in this amendment shall mean the City of Charleston with corporate limits as now constituted or as hereafter altered following merger, annexation, or modification of corporate limits.”

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for members of the House of Representatives. Ballots shall be provided at the various voting precincts throughout the State, with the following words printed or written thereon:

“Shall Section 13, Article II, of the Constitution of South Carolina, 1895, be amended so as to permit the holding of special elections in the City of Charleston for the purpose of determining if the City Council of the City of Charleston shall be empowered to issue general obligation bonds of the City of Charleston for any corporate purpose without there first being presented to the City Council a petition signed by a majority of the freeholders of the City of Charleston petitioning and authorizing such elections?

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment' and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

Ratified the 15th day of April, 1964.

(R1193, H2458)

No. 1178

An Act To Make Provision For The Settlement Of The Indebtedness Of Bushy Park Authority, The Transfer Of The Bushy Park Project And All Properties And Property Rights Of The Authority To The Commissioners Of Public Works Of The City Of Charleston; To Authorize The Commissioners Of Public Works Of The City Of Charleston To Operate The Project As A Part Of Its System; To Further Define The Rights And Powers Of The Commissioners With Respect To The Project And The Properties And Property Rights Acquired From The Authority; And To Provide For The Dissolution Of The Bushy Park Authority.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds as follows:

1. The Bushy Park Authority (the Authority) was created by Act No. 355 of the Acts of 1953 and was by said act, and acts amendatory thereto, authorized to construct the project therein described (the Bushy Park Project), which contemplated the diversion of water flowing down the Cooper River into the Back River and the construction of a dam or dike across Back River in Berkeley County, so as to impound the diverted fresh water for the purpose of making it available for municipal use by the City of Charleston and for industrial use by others. The Authority was declared to be a body corporate and politic with perpetual succession.

2. Following its creation the Authority was duly organized and thereafter constructed the project described in paragraph 1., *supra*.

3. The Authority acquired various properties and property rights, the same being evidenced by the following instruments:

(a) Property and property rights set forth in Deed of P. O. Mead, dated June 7, 1955, and recorded in Clerk of Court's

Office for Berkeley County, South Carolina in Book C-51, page 50.

(b) Property and property rights set forth in Deed of Mrs. William G. C. Storm, dated September 2, 1955 and recorded in Clerk of Court's Office for Berkeley County, South Carolina, in Book C-51, page 103.

(c) Property and property rights set forth in Deed of Benjamin R. Kittredge, dated October 29, 1955, and recorded in Clerk of Court's Office for Berkeley County, South Carolina, in Book C-51, page 160.

(d) Property and property rights set forth in Deed of P. O. Mead, dated May 3, 1956 and recorded in Clerk of Court's Office for Berkeley County, South Carolina, in Book C-51, page 306.

(e) Spoil area license acquired by Indenture inter West Virginia Pulp and Paper Company and Bushy Park Authority, dated December 19, 1955, and recorded in Clerk of Court's Office for Berkeley County, South Carolina, in Book C-51, page 215.

(f) Easements and other property rights acquired by Indenture inter West Virginia Pulp and Paper Company and Bushy Park Authority, dated December 19, 1955, and recorded in Clerk of Court's Office for Berkeley County, South Carolina, in Book C-51, page 216.

(g) Property and property rights set forth in Quit-claim Deed of West Virginia Pulp and Paper Company, dated December 19, 1955, and recorded in Clerk of Court's Office for Berkeley County, South Carolina, in Book C-51, page 219.

(h) The Authority acquired from the State of South Carolina, in fee simple, all of the right, title and interest of the State in and to all those certain marshes and marshlands lying between mean high water and mean low water, comprising two thousand acres more or less, by Act No. 1133 of 1956.

4. In the course of constructing the project and acquiring the properties above referred to, the Authority incurred much indebtedness, which, as of this occasion, is evidenced by the following obligations:

(a) Two million one hundred thirty-six thousand dollars Bushy Park Project Review Bonds (three per cent) dated September

15, 1955. All outstanding bonds are unpaid and no interest has been paid thereon.

These bonds have been acquired from their original holder and are now held by the State Budget and Control Board, Division of Sinking Funds and Property, of the State of South Carolina (the State Board) as a part of its security for a demand note of the Authority more particularly described in subparagraph (e) below.

(b) One million dollars Bushy Park Project Junior Lien Revenue Bonds, Series "B" (two per cent), dated May 1, 1956. All outstanding bonds are unpaid and no interest has been paid thereon.

The bonds of this issue are held by the Commissioners of Public Works of the City of Charleston (the Commissioners).

(c) Note in the principal sum of eight hundred fifty thousand dollars, payable to and held by the State Board.

This note is secured by a certain mortgage given to the State Board, dated the twelfth day of May, 1956, and recorded in Clerk of Court's Office for Berkeley County, South Carolina, in Book E-28, page 189. Interest on the note secured by this mortgage is unpaid since the twelfth day of November, 1961.

This obligation is unconditionally guaranteed by the County of Berkeley, by the County of Charleston, and by the City of Charleston.

(d) A certain judgment held by The Citizens and Southern National Bank of South Carolina, dated October 9, 1961, in the face amount of one hundred ten thousand four hundred fifty-three dollars and ninety-four cents, on which no interest has been paid. The judgment here results from a note given to the Citizens and Southern National Bank of South Carolina, which became unpaid and was afterwards reduced to judgment.

(e) A note in the sum of five hundred thousand dollars, dated the twenty-eighth day of December, 1961, with interest thereon at the rate of four per cent per annum. Interest is due from the date of the note. This note is secured by a mortgage of the Authority to the State Board, covering all properties of the Authority in Berkeley County, and therein described. The aforesaid mortgage is dated December 28, 1961 and is recorded in Clerk of Court's Office for Berkeley County, South Carolina, in Book E-30, page 487. This note is also secured by the bonds described in subparagraph (a) above.

(f) A demand note in the principal sum of fifty thousand dollars due to the Commissioners, dated December 13, 1955, with interest at two and one-half per cent per annum.

(g) Indebtedness due Charleston County, Berkeley County, and the City of Charleston by reason of certain advances made by them to the Authority. In the instance of Charleston County the amount due is thirty-six thousand six hundred seventy-six dollars and forty-eight cents, plus accrued interest. In the instance of Berkeley County the amount due is thirty-seven thousand one hundred seventy-six dollars and forty-nine cents, plus accrued interest. And in the instance of the City of Charleston the amount due is thirty-five thousand six hundred seventy-six dollars and forty-nine cents, plus accrued interest.

(h) Claims for salaries, services and materials and supplies due to divers persons and corporations, estimated to be, as of June 30, 1961, in the face amount of thirty-six thousand seventy-four dollars and seventy-one cents. Questions exist as to the liability of the Authority on certain items.

(i) Debt due to the United States of America (assumed by the Commissioners) for an advance for engineering studies and plans made of the project, in the sum of one hundred seventy-five thousand dollars.

5. The Authority is further obligated by reason of the following transactions:

(a) The Authority is obligated to furnish water to the Commissioners, the obligation having been a primary motivation in obtaining advances of money from the Commissioners which enabled the Authority to build the Bushy Park Project.

(b) The Authority conveyed to Cardinal Manufacturing Company (Cardinal), by deed dated the third day of January, 1958, and recorded in the Clerk of Court's Office for Berkeley County, South Carolina, in Book C-54, page 101, a tract of ten acres of high land and four and five-tenths acres of marshland, together with certain easements.

Simultaneously, the Authority entered into a contract for the sale of water to Cardinal. The rights of the parties have been modified by a certain letter agreement written to the Authority by Cardinal under date of December 28, 1961.

(c) The Authority sold to Robert E. Lee and Company, Inc. a tract of land containing three hundred eighty-nine acres by deed

dated the day of November, 1961 and recorded in Clerk of Court's Office for Berkeley County, South Carolina, in Book A-123, page 93, subject to certain easements therein set forth, and entered into an agreement with the grantee, by instrument dated the seventh day of December, 1961, recorded in Clerk of Court's Office for Berkeley County, South Carolina, in Book C-64, page 102, granting unto it certain rights to take water for use on the tract of land.

(d) The Authority entered into an agreement with B. R. Kittredge relative to certain property which it had acquired from him. This instrument was dated the twenty-ninth day of October, 1955, and recorded in Clerk of Court's Office for Berkeley County, South Carolina, in Book C-51, page 181, and was afterwards amended by instrument dated the twenty-fifth day of January, 1956 and recorded in Clerk of Court's Office for Berkeley County, South Carolina, in Book C-51, page 235.

(e) The Authority likewise incurred certain obligations to West Virginia Pulp and Paper Company under the instruments by which it acquired properties and property rights set forth in subparagraphs (e), (f) and (g) of paragraph 3 of Section 1.

6. Action looking to the enforcement of the judgment described in subparagraph (d) of paragraph 4, *supra*, has been threatened, the State Board is anxious to obtain the repayment of the moneys due it, by reason of which it is both necessary and desirable that a method be found by which the Authority can repay its indebtedness.

7. The Commissioners, as the agency charged with the function of providing water for the City of Charleston and areas adjacent, contributed initially to the construction of the Bushy Park Project in order that it might have an additional source of water for its own distribution system and to that end has constructed a tunnel from Foster Creek to its Goose Creek reservoir, which permits it to withdraw water impounded by the Bushy Park dike into its Goose Creek reservoir.

8. While the Commissioners have not so far found it necessary to utilize the Bushy Park Project for daily use by its system, they are interested in securing the right to maintain the Bushy Park Project as a part of the City of Charleston Waterworks System. The Commissioners are also interested in the industrial development of the properties acquired by the Authority as a means of promoting the welfare of the areas of Charleston and Berkeley Counties in

proximity to the Bushy Park Project. The Commissioners have proposed to provide funds with which to:

- (a) Pay in full the principal and interest due upon the eight hundred fifty thousand dollar note described in subparagraph (c) of paragraph 4 above;
- (b) Pay in full the five hundred thousand dollar note, principal and interest, described in subparagraph (e) of paragraph 4 above;
- (c) Pay in full the principal and interest due upon the judgment described in subparagraph (d) of paragraph 4 above;
- (d) Provide twenty-five thousand dollars, or such lesser sum as may be required, with which to pay, by compromise or otherwise, the obligations of the Authority described in subparagraph (h) of paragraph 4 above;
- (e) Pay the balance of the debt due to the United States of America described in subparagraph (i) of paragraph 4 above;
- and
- (f) The Commissioners have also agreed to honor the obligations of the Authority with respect to water rights, grants of property rights, easements or options granted, as set forth in paragraph 5 of this section.

9. The offer here made is contingent upon the following:

(a) The Authority shall convey to the Commissioners the Bushy Park Project and all of the properties and property rights of the Authority, free and clear of all liens and encumbrances, except:

- (i) the rights of Cardinal described in subparagraph (b) of paragraph 5; and
- (ii) the rights of Robert E. Lee Company, Inc., described in subparagraph (c) of paragraph 5.
- (iii) the rights of Benjamin R. Kittredge and West Virginia Pulp and Paper Company described in subparagraphs (d) and (e) of paragraph 5.

(b) The enactment of suitable legislation:

- (i) confirming the right of the Commissioners to acquire the Bushy Park Project and the property of the Authority and to incorporate the Bushy Park Project into its own municipal waterworks system;
- (ii) granting to the Commissioners, in perpetuity, the right to divert water from the Cooper River through the diversion

canal constructed by the Authority into Back River and there to be impounded by a dam or dike between Bushy Park Plantation and Marrington Plantation, and to that end to construct, maintain, enlarge and improve such canal, dams, dikes or tunnels as may be necessary therefor;

(iii) empowering the Commissioner to operate the Bushy Park Project as a part of its own waterworks system;

(iv) empowering the Commissioners to sell or dispose of all or any part of the real property of the Authority;

(v) empowering the Commissioners to discharge the contractual obligations with respect to the delivery of water incurred by the Authority, and further empowering the Commissioners to discharge such other contractual obligations with respect to the sale and delivery of water as it may hereafter incur;

(vi) empowering the Commissioners to enter into contracts for the sale or disposition of water from the Bushy Park Project for such period of time as it shall determine, notwithstanding the time limitations imposed upon water contracts of the Commissioners by Section 59-532 of the 1962 Code;

(vii) providing that the Commissioners shall be subrogated to the rights of any and all creditors of the Authority to the extent that it shall, pursuant to this act, effect payment of the debts of the Authority, in order that the Commissioners shall be protected against unknown creditors of the Authority or those creditors whose debts may not be discharged in toto with the twenty-five thousand dollars to be provided by the Commissioners and referred to in subparagraph (d) of paragraph 8 above; and

(viii) providing for the dissolution of the Authority upon the conveyance contemplated hereby.

(c) A full satisfaction and release by the State Board (after payment of its debt shall be effected), releasing and discharging the Authority, Berkeley County, Charleston County and the City of Charleston from all further liability.

(d) Satisfaction and release by Berkeley County and by Charleston County of all claims against the Authority without monetary consideration to these counties except the consideration accruing to the counties resulting from the release provided by paragraph (c) above.

10. The General Assembly having reviewed the affairs of the Authority has concluded that a means must be provided for the payment of the debts of the Authority, and the ascertainment and liquidation of those debts of the Authority described in subparagraph (h) of paragraph 4 of Section 1, *supra*, and that the Authority should be fully empowered to convey the project and all properties and property rights which it now has to the Commissioners, subject to the conditions hereafter imposed, and that upon so doing the Authority shall thenceforth cease to function and all rights of the Authority in and to the Bushy Park Project and the right to operate the Project shall vest in and become the absolute property and right of the Commissioners, subject only to contractual obligations heretofore made by the Authority, or obligations which may hereafter be made by the Commissioners, it being intended that the powers of the Commissioners, upon the fulfillment of the plan above described, with respect to the Bushy Park Project, shall be as full and as complete as were the powers thereof of the Authority itself.

SECTION 2. Proposal to acquire property.—If the Commissioners shall elect to acquire the Bushy Park Project and all other properties and property rights of the Authority, under conditions enumerated in Section 1 of this act, then the Commissioners shall, within sixty days after the effective date of this act, offer in writing to acquire the same, setting forth in the offer its unconditional agreement to accept the project and the properties and property rights of the Authority upon the terms set forth in this act. Copies of the written proposal shall be sent to the State Board and to the County Treasurer of each of Berkeley County and Charleston County.

SECTION 3. Duties of Authority concerning offer.—Within thirty days after the receipt of the offer the Authority shall:

1. Execute and deliver its deed of conveyance to the Commissioners, conveying to the Commissioners in fee simple all properties and property rights of the Authority; and

2. Deliver to the Commissioners a list setting forth the names, last known addresses and sums due or claimed to be due by the Authority to persons, firms and corporations for salaries, services, and materials and supplies, together with the amount which each person, firm or corporation on the list will accept in full settlement.

SECTION 4. Payments required.—Simultaneously with the delivery of the deed spoken of in Section 3, the Commissioners shall:

1. Pay in full the sum due the State Board on its note, dated May 12, 1956, in the principal amount of eight hundred fifty thousand dollars;

2. Pay in full the sum due The Citizens and Southern National Bank of South Carolina by reason of its judgment described in subparagraph (d) of paragraph 4 of Section 1; and

3. Pay in full the sum due the State Board on its note, dated December 20, 1961, in the principal amount of five hundred thousand dollars.

SECTION 5. Assignment to commissioners.—Simultaneously with the payments to be made by the Commissioners to the State Board, pursuant to Section 4, the State Board shall assign, transfer and set over to the Commissioners:

1. The note of the Authority in the principal amount of eight hundred fifty thousand dollars, dated May 12, 1956, together with the mortgage securing the same.

2. The note of the Authority in the principal amount of five hundred thousand dollars, dated December 20, 1961, together with the mortgage securing the same.

3. The two million one hundred thirty-six thousand dollar Bushy Park Project Revenue Bonds (three per cent), dated September 15, 1955, with all coupons attached.

The Commissioners shall hold the foregoing, as well as the bonds described in subparagraph (b) of paragraph 4 of Section 1, for the sole purpose of asserting through the means of subrogation the position formerly enjoyed by the State Board, in the event that

(a) unknown creditors of the Authority assert claims in addition to those known and listed herein; or,

(b) the sum of twenty-five thousand dollars provided by the Commissioners for settlement of the claims described in subparagraph (h) of paragraph 4 of Section 1 proves insufficient for settlement of the claims described therein.

SECTION 6. Satisfaction of claims.—Upon the acceptance by the Commissioners of the deed of the Authority, all claims of Berkeley County, Charleston County, the City Council of Charleston and the Commissioners against the Authority shall be satisfied and of no further force and effect, except as provided by Section 5, and it shall thenceforth become the duty of the Commissioners to discharge all sums remaining due to the United States of America upon the obliga-

tion described in sub-paragraph (i) of paragraph 4 of Section 1, and to honor the obligations of the Authority to the extent that obligations have been created by virtue of the matters recited in paragraph 5 of Section 1. Upon payment of the obligations as set forth in Section 1, paragraph 8-(a) (b) and (c) by the Commissioners, all contingent liabilities of the Counties of Charleston and Berkeley on such obligations shall cease and terminate. It is found that the release of Berkeley County and Charleston County, as guarantors of the obligation described in subparagraph (c) of paragraph 4 of Section 1, provides ample consideration for the surrender of their claims against the Authority.

SECTION 7. Creditors to be paid.—Upon the delivery by the Authority to the Commissioners of the list of creditors spoken of in Section 3, it shall be the duty of the Commissioners to advertise in a daily newspaper published in the City of Charleston, at least once a week for four successive weeks, that the Commissioners will, upon a date specified in the notice, but which shall not be sooner than sixty days from the date of the first publication of the notice:

(a) pay all creditors of the Authority on the list, and those other creditors not appearing on the list but who have, in response to the notice, filed claims against the Authority; *provided*, that the Commissioners shall be satisfied as to the authenticity and validity of the claims, and *provided*, further, that all claims can be liquidated for not more than twenty-five thousand dollars, or

(b) if the aggregate of the claims cannot be liquidated for twenty-five thousand dollars, or, if the Commissioners are not satisfied as to the authenticity and validity of any particular claim, the Commissioners shall pay into court all of the twenty-five thousand dollars, or so much thereof as shall be required for the liquidation of any claim not approved by the Commissioners.

Upon payment, the obligation of the Commissioners to pay claims of the Authority of the sort described in subparagraph (h) of paragraph 4 of Section 1 shall be fully discharged and it shall be incumbent upon those seeking payment of any claims against the Authority to take such action as shall be required to obtain the proper order of the court paying in whole or in part, or denying the payment of, any such claims, and the rights of all persons against the sum of twenty-five thousand dollars provided by the Commissioners who fail to file claims against the Authority before the end of the period of the advertisement required by this section, shall cease

and further rights as they may have against the Authority shall be asserted in subordination to the securities of the Authority now held by the Commissioners and those securities acquired from the State Board.

SECTION 8. Possession of property—powers of commissioners.—In order that the Commissioners shall have full and absolute enjoyment of the Bushy Park Project and all properties and property rights acquired by the Authority, subject only to such obligations as shall have been incurred by the Authority, set forth in paragraph 5 of Section 1 of this act, and assumed by the Commissioners, it is hereby declared that the Commissioners shall, upon the delivery of the deed of the Authority, stand possessed in fee simple of:

- (a) the Bushy Park Project;
- (b) all properties acquired by the Authority including the marshlands acquired by Act No. 1133 of the Acts of 1956; and
- (c) all property rights acquired by the Authority.

And without limiting the generality of the rights of the Commissioners with respect to the use and utilization of the properties and property rights, the Commissioners shall be empowered as follows:

- (i) to divert from the Cooper River such quantities of water as may be accomplished through the means of the canal now existing, or as it may hereafter from time to time be enlarged and improved;
- (ii) to impound water in Back River by means of the dike or dam constructed between Bushy Park Plantation and Marrington Plantation, as hereafter enlarged and improved;
- (iii) to draw water from the Back River and cause it to be diverted into the Goose Creek reservoir of the Commissioners or other reservoir as the Commissioners shall hereafter, as a part of their system, construct and operate;
- (iv) to exercise the power of eminent domain to such extent as may be necessary to maintain, enlarge and improve all or any of the foregoing;
- (v) to sell, lease or otherwise dispose of all or any portion of the properties acquired from the Authority on such terms and conditions and for such purposes as the Commissioners shall approve, and to use and enjoy the proceeds of any such sale, lease or conveyance in the same manner as the Commissioners would use and enjoy the proceeds upon the disposition of any other property owned or acquired by the Commissioners;

(vi) to make such contracts with respect to the disposition of water derived from the Bushy Park Project as the Commissioners, in their absolute discretion, shall approve, at such times, on such terms and for such considerations as they shall determine, notwithstanding the limitations of Section 59-532 and Section 70-398, Code of Laws of South Carolina, 1962, which might otherwise have been applicable; and

(vii) in general to have all rights now enjoyed by the Authority with respect to the construction, maintenance, enlargement and improvement of the Bushy Park Project, it being the intent of this act to vest in the Commissioners all rights of the Authority to the end that the Bushy Park Project shall function, under the supervision and direction of the Commissioners, in such manner as to them shall be deemed appropriate for their interests.

SECTION 9. Dissolution of Authority.—The Commissioners shall within due course effect the recordation in the office of the Clerk of Court for Berkeley County, of the deed of the Authority provided by Section 3, *supra*, and thereupon the Authority shall stand dissolved and shall cease to function, and the provisions of law devolving functions upon the Authority and empowering it to act shall no longer have force or effect.

SECTION 10. Not to affect Public Service Authority.—Nothing in this act contained shall in anywise affect the operation of the Santee-Cooper Project by the South Carolina Public Service Authority.

SECTION 11. Sale of land or water.—Nothing in this act is intended to prevent the Commissioners from selling land (for sites) and distributing water to any private corporation which shall undertake the generation and distribution of electric power.

SECTION 12. Repeal.—All acts or parts of acts inconsistent herewith are repealed to the extent of such inconsistencies.

SECTION 13. Not to affect certain rights of Robert E. Lee & Co.—Nothing in this act contained shall in anywise affect the property rights of Robert E. Lee and Company, Inc., granted in that certain real estate deed hereinbefore referred to, same being recorded in the office of the Clerk of Court for Berkeley County, South Carolina, in Book A123, page 93; or the contract rights of said company, under the terms of that certain agreement recorded in said office in Book C 64, page 102.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1194, H2523)

No. 1179

An Act To Amend Act No. 521 Of 1957, As Amended, Relating To The North Charleston Consolidated Public Service District Commission, So As To Enlarge And Redefine The Powers Of The North Charleston Consolidated Public Service District; To Empower The District To Impose And Enforce The Payment Of Sewer Service Charges; And To Empower The District To Provide Sewage Treatment Facilities To Other Governmental Agencies.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that North Charleston Consolidated Public Service District, the district, was created by Act No. 521 of 1957, and by reason of the act the North Charleston Consolidated Public Service District Commission, the commission, is empowered, inter alia, to operate a sewer system within the district and to make proper charges for services rendered by such sewage disposal system. The commission contemplates substantial improvements to its sewer system, the cost of which will be defrayed by the issuance of general obligation bonds of the district additionally secured by the application of the net revenues derived from the operation of the sewer system in such manner as the commission may prescribe. The commission is empowered by Act No. 521 to contract with the Commissioners of Public Works of the City of Charleston, the commissioners, for the collection of sewer charges imposed for sewage collection services provided by the commission to properties also served by the waterworks system of the commissioners. Certain properties within the district are not served by the waterworks system of the commissioners and the General Assembly after due investigation has concluded that the collection of sewer charges for sewage collection services furnished these properties can best be enforced by making such unpaid sewer charges a lien against the property concerned in the manner approved in the case of *Distion v. Bolding*, 240 S. C. 545, 126 S. E.

2d 649. The General Assembly has therefore determined to give the commission the power to make unpaid sewer charges a lien against the property served.

The General Assembly further finds that it may become desirable that the commission contract with the United States of America and with adjacent or nearby municipal corporations or political subdivisions for the collection and treatment of the sewage collected from properties of the United States of America or from such municipal corporations or political subdivisions or any of them, through the means of the facilities to be constructed by the district.

SECTION 2. Paragraph 20, Section 5 of Act 521 of 1957 amended—fee, rates and charges.—Paragraph 20 of Section 5 of Act No. 521 of 1957 is amended by striking it out and inserting in lieu thereof the following:

“20. Place into effect and to revise whenever it so wishes or may be required a schedule of fees, rates, and charges for the connection to and use of its sewage disposal system as now existing and hereafter improved. Prior to the making of any sewer connection or the furnishing of any sewage disposal service for which the prescribed fee, rate or charge shall, pursuant to Section 16 of this act, become a lien on the property affected, and prior to any subsequent increase in any such fee, rate or charge, not less than ten days’ written notice shall be given to each affected property owner, notifying him of the nature and quantum of the charge, and providing such property owner an opportunity, if desired and requested, to appear and be heard in person or by counsel, before the commission. Following such hearing, if such be requested and held, action shall be taken by the commission, and notice of its decision shall be given to the property owner concerned, or his counsel as the case may be, not less than ten days prior to the effective date of the fee, rate or charge. Any property owner aggrieved by the action of the commission may proceed by certiorari in the Court of Common Pleas for Charleston County to have such court review the action taken by the commission, at which time the court shall determine the validity and reasonableness of the charge so made. Fees, rates or charges not intended to become liens in the case of nonpayment can be imposed and subsequently increased upon any user in the district without such notice and hearing.”

SECTION 3. Act 521 of 1957 amended—Section 16 added—collection of fees and charges.—Section 16 is added to Act 521 of 1957 to read as follows:

“Section 16. If the notice or notices prescribed by Paragraph 20 of Section 5 of this act shall have been given and any hearing requested pursuant thereto shall have been held, all tapping fees, service charges and other charges imposed by the commission following that procedure under authority of this act and not paid when due and payable, shall be and constitute a lien upon the real estate to which the sewage service concerned relates, so long as the fees or charges remain unpaid. In addition to such other rights and remedies as may be available to the commission in law or in equity for collection of the fees and charges, the lien may be enforced by the commission in the same manner and fashion as the lien of the property taxes upon real estate.

The method provided in this act for the enforcement of the collection of past due sewer charges by creating them liens against real property shall not be the exclusive method of enforcing such collections and the commission is fully empowered to enforce the collection of any such charges in any other lawful manner in all or any part of the district, including particularly by way of a contract with the Commissioners of Public Works of the City of Charleston as authorized under paragraph 26 of Section 5.”

SECTION 4. Section 5 of Act 521 of 1957, amended—paragraphs 29 and 30 added—additional powers.—Section 5 of Act No. 521 of 1957 is amended by adding Paragraphs 29 and 30 to read as follows:

“29. To enter into contracts with the United States of America or any agency thereof regarding the payment and collection of charges for sewage disposal or treatment services provided to property owned by the United States of America upon such terms and conditions as to the commission shall seem proper.

“30. To contract with any adjoining or nearby municipal corporation or political subdivision for the collection and treatment of its sewage through the means of the district’s facilities upon such terms and conditions as to the commission shall seem proper.”

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1304, H2524)

No. 1180

An Act To Authorize The North Charleston Consolidated Public Service District To Issue Not Exceeding Ten Million Dollars Of General Obligation Bonds Of The District To Provide Funds For Sewage Treatment And Disposal Facilities For The District; To Prescribe The Conditions Under Which The Bonds Shall Be Issued; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—1. The General Assembly finds that it did by Act No. 521 of 1957 create North Charleston Consolidated Public Service District in Charleston County, the district, and that it did commit to the district certain functions including the function of providing adequate sewage disposal and sewage treatment facilities for the district. The boundaries of the district were originally defined by Act No. 521, but the district has been afterwards enlarged and the term district is intended to mean the district as now constituted or as it may hereafter be enlarged by future legislation.

2. The district is thickly populated and furnishes sewage collection services to a large area within the district but at the moment dumps the sewage in untreated form into the waters of Charleston Harbor. The pollution of the waters of Charleston Harbor has created a hazardous health condition making it necessary that all sewage receive treatment before being allowed to flow into the waters of Charleston Harbor. The continued growth of the district requires additional collector lines as well.

3. The General Assembly is mindful that the North Charleston Consolidated Public Service District Commission, the commission, has been engaged in an extensive study to plan methods for the collection and treatment of sewage in order that the hazardous health condition now prevailing in the district might be mitigated or removed. Preliminary estimates of engineers employed by the commission indicate the entire program will cost many millions of dollars.

4. Careful consideration has been given to the method to be employed to finance the cost of the necessary facilities and it has been determined that while it is necessary that general obligation bonds be issued, it has been further determined that a monthly or quarterly sewer charge should be imposed upon all receiving sewage collection service, in order that those primarily benefited from the sewer system

will bear a reasonable portion of the burden to be assumed by the district in making provision for adequate sewage collection and treatment facilities.

5. As a general rule, water service within the district is provided by the Commissioners of Public Works of the City of Charleston, the commissioners, and it is expected that the commission will be able to effect arrangements with the commissioners whereby the commissioners will agree to collect the sewer charge to be imposed by the commission as a part of the bill rendered by the commissioners for water services, and that the commission and the commissioners will require all who utilize both water and sewer services to pay the single bill rendered for such services as an entirety upon penalty of discontinuance of water service to all who fail to pay the bill for both water and sewer services.

6. The commission is empowered by legislation enacted or to be enacted by the General Assembly at its current 1964 session to make unpaid sewer charges a lien against the property to which the sewer service was furnished. In this fashion, the commission will be able to enforce the collection of sewer charges in the case of properties served by its sewer system but not served by the waterworks system of the commissioners. The principal areas not served by the waterworks system of the commissioners within the district will not be reached by the proposed sewer facilities immediately. Therefore, in establishing conditions precedent as more fully set forth in Section 2 of this act upon the issuance of the bonds authorized hereby, the General Assembly finds that it is unnecessary and impractical to include any action by the commission making unpaid sewer charges liens on properties served in such areas, since it assumes that the collection of sewer charges in such areas will be enforced by the commission in the manner appearing most advisable to it from among the alternatives made available to it through legislative enactments.

7. Among the powers vested in the commission by Act No. 521 of 1957, is the power to enter into the contract with the commissioners outlined in paragraph 5. The right of the commissioners to undertake the collection of the sewer charges for the commission has been upheld in the case of *Ruggles v. Padgett*, 126 S. E. 2d 553; and the right of the commission to make unpaid sewer charges liens against the properties served has been upheld in the case of *Distin v. Bolding*, 126 S. E. 2d 649. It is therefore clear that the

proposed plan whereby a substantial portion of the costs of providing a sewage collection and treatment service can be borne through the imposition and collection of a sewer charge upon all those residing in the district who receive such service, is both valid and practical.

8. The engineers employed by the commission have recommended that it be empowered to issue not exceeding ten million dollars of general obligation bonds to finance the cost of the contemplated facilities. The General Assembly, after due consideration, has determined to empower the commission to issue general obligation bonds of the district to such extent under the conditions prescribed by this act.

SECTION 2. Bond issue authorized—conditions.—If the commission shall adopt a resolution imposing a sewer service charge upon all who receive sewage collection service within the district (which sum may be collected monthly or quarterly) and shall have entered into a contract with the commissioners under the terms of which the commissioners will collect the sewer charge imposed by the commission from all those to whom the commissioners furnish water service, as a part of a single combined bill for water and sewer service payable upon penalty of discontinuance of all services including water service, then in such event the commission shall be authorized and empowered to issue not exceeding ten million dollars of general obligation bonds of the district. The contract herein contemplated may provide that portions of the sums collected by the commissioners for the commission shall be remitted to the commission to provide funds with which to meet the costs of operation and maintenance and that other portions thereof shall be remitted to any fiscal agent appointed by the commission and used by it for the debt service of the bonds issued by the commission.

The commission is further authorized to place into effect the sewer service charge herein contemplated on such occasion at it shall determine, and such occasion may be prior to the issuance of the bonds in order that the commission shall be enabled both to estimate the ultimate extent for which ad valorem taxation is required and to build up funds to be used for the purposes set forth in this section. All sums realized from such a charge shall, prior to the issuance of bonds pursuant to this act, be impounded in a special fund (which may be invested in obligations of the United States Government) and applied for costs incident to the construction of the facilities or, in the discretion of the commission set apart for debt service on the bonds herein authorized.

SECTION 3. Issue—denominations—maturity.—The bonds authorized by this act may be issued as a single issue or may be issued in several issues from time to time as the commission may determine. Bonds issued hereunder shall be in such denominations and shall mature in such annual series or installments as the commission shall provide.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest plus such redemption premium as may be prescribed by the commission, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of any bonds provisions shall be made specifying the manner of call and notice thereof that must be given.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds payable to bearer but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Charleston County upon such conditions as the commission may prescribe. Except when so registered all bonds issued pursuant to this act shall have the attributes of negotiable instruments under the law merchant and negotiable instruments law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable in such place or places within or without the State as the commission shall prescribe.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at such rate or rates as may be determined by the commission.

SECTION 8. Execution.—Bonds issued pursuant to this act and the coupons attached thereto shall be executed in such manner as the commission shall by resolution provide.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold at public sale after advertisement of the same in a newspaper of general circulation in South Carolina. The published notice of sale shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal of and interest on the bonds issued pursuant to this act as they respectively mature and for the creation of such sinking funds as may be necessary therefor, the full faith, credit and taxing power of the district shall be irrevocably pledged and there shall be levied annually by the Auditor of Charleston County and collected by the Treasurer of Charleston County in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in the district, sufficient to pay the principal and interest on the bonds as they respectively mature and to create such sinking funds as may be necessary therefor; *provided*, that the ad valorem tax levy shall be reduced to the extent that there shall have been made available for debt service on the occasion in each year when the ad valorem tax levy is to be made, moneys derived from the sewer charges herein mentioned; and in all instances where an annual tax levy is so reduced, the moneys derived from such sewer charges shall be applied to the payment of such principal and interest and to no other purpose.

SECTION 11. Exempt from taxes.—The principal of and interest on bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Charleston County and shall be deposited in a special bond account fund for the commission and shall be expended and made use of as follows:

a. All accrued interest shall be applied to the payment of the first installment of interest to become due on the bonds.

b. Any premium received upon the sale of the bonds shall be applied to the payment of the first installment of principal of the bonds.

c. The remaining proceeds shall be used upon the warrant or order of the commission to defray the costs of issuing the bonds authorized hereby and to pay all costs to be incurred in providing sewage treatment facilities for the district, including the acquisition of any site or sites necessary therefor, and the cost of installing additional sewage collection lines within the district. *Provided*, that pending the use of proceeds of the bonds to meet the costs to be incurred as aforesaid, the proceeds of the bonds shall at the direction of the commission and to the extent prescribed by the commission be invested and reinvested in obligations of the United States

or the agencies thereof, having a stated maturity of not exceeding twelve months from the date of any such investment. The commission may employ the services of the trust department of any bank having an office in Charleston County to assist it in effecting such investments, and if such action shall be taken by the commission, the Treasurer of Charleston County shall, on the order of the commission, deliver to such bank the proceeds of the bonds, to the extent ordered by the commission.

All income realized from such investments, after meeting any costs incident thereto, shall be from time to time turned over to the Treasurer of Charleston County and by him applied to the payment of interest to become due on the bonds, but the provisions hereof shall in no way limit or impair the directive of this act made by Section 10 requiring the Auditor and Treasurer of Charleston County to levy and collect sufficient taxes to meet the payment of the principal and interest of the bonds, as they respectively mature, and any reduction in the tax levy resulting from income so received, shall take place only after the actual receipt by the treasurer of the proceeds of such investment income. Whenever investments made as herein authorized shall be reconverted into cash, the principal proceeds of any such investments shall be returned to the Treasurer of Charleston County and by him applied in accordance with the provisions of this subsection.

d. If any balance remains after meeting all costs of construction, it shall be held by the Treasurer of Charleston County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 13. Payment.—Effective no later than the delivery of the first bonds issued pursuant to this act, the commission shall apply the net revenues derived from sewer charges to the payment of the principal of and interest on bonds issued pursuant to this act, and again, if the commission shall so determine, to other bonds issued by the district for sewer purposes authorized by legislation, hereafter to be enacted, it being intended that the aforesaid net revenues shall be applicable to the payment of all bonds issued by the district for sewer purposes.

SECTION 14. Powers additional.—The powers and authorizations hereby conferred upon the commission shall be in addition to all other powers and authorizations previously vested in them and may be exercised by action taken at regular or special meetings. The compli-

ance with the provisions of this act shall constitute all action necessary to effect the valid issuance and delivery of the bonds authorized hereunder.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1200, S768)

No. 1181

An Act To Amend Act No. 422 Of 1955, Relating To The Construction, Financing And Maintenance Of Certain Water Lines In Cherokee County, So As To Further Provide For Interest Rates, The Furnishing Of Labor, And To Include The Town Of Blacksburg.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 422 of 1955 amended—funds for water mains available to residents outside of Gaffney or Blacksburg—conditions.—Section 1 of Act No. 422 of 1955 is amended by inserting after “Gaffney” wherever it appears “or Blacksburg”, by striking in item (3) “interest at two and one-half per cent per annum” and inserting “such interest as may be determined by the contracting parties”, and by deleting item (4) and renumbering the remaining items to conform, and by adding at the end of the last item the following: “*Provided*, that the county or either municipality may furnish the labor for any such construction.” The section when amended shall read as follows:

“Section 1. A revolving fund in the sum of one hundred thousand dollars shall be made available out of Cherokee County funds to assist property owners in the area adjacent to the incorporate limits of Gaffney or Blacksburg in the construction of water mains, subject to the following provisions:

(1) The money is to be available only for the construction of water mains constructed according to the specifications of the Board of Public Works of Gaffney or Blacksburg, so that the mains can be utilized by the Gaffney or Blacksburg Board of Public Works, if and when the water lines are purchased or taken over by them, for the further expansion of the water system.

(2) Upon one or more of the citizens of any community paying into the Gaffney or Blacksburg Board of Public Works one-half of the construction costs of any water line as provided herein, and a reasonable showing that there will be a sufficient number of users of such water line to repay the funds advanced by the county for the construction of such line, and upon the Board of Public Works notifying the Clerk of the County Board of Commissioners of such payment and showing and making a request for the remaining one-half of the costs of constructing such line. Upon fulfillment of this provision, the Clerk of the County Board of Commissioners shall be authorized to issue his voucher, payable out of the revolving fund set up hereunder, to the Gaffney or Blacksburg Board of Public Works to pay the remaining one-half of the cost of construction.

(3) Any line constructed hereunder shall remain the property of Cherokee County and the property owners advancing the initial costs of the line until the original sum invested in the line, together with such interest as may be determined by the contracting parties, has been repaid.

(4) In addition to the tapping fee charged by the Gaffney or Blacksburg Board of Public Works, a tapping fee of two hundred and fifty dollars shall be collected by the Gaffney or Blacksburg Board of Public Works and applied in refunding the money advanced for the construction of the line, together with accrued interest.

(5) The Gaffney or Blacksburg Board of Public Works shall account for and pay over to the county treasurer semiannually their proportionate part of the tapping fees collected and to the property owners their proportionate parts in the same ratio that each paid for the cost of the construction.

(6) Any property owner now being furnished water through lines which are substandard may have new water lines constructed according to the specifications of the Gaffney or Blacksburg Board of Public Works or according to standard engineering procedure and such lines shall be subject to the other provisions of this act, and shall be maintained and serviced by the Gaffney or Blacksburg Board of Public Works.

(7) Contracts for the construction of any water lines provided for by this act shall be awarded by way of competitive bids and the Gaffney or Blacksburg Board of Public Works may reject any and all bids in their discretion. *Provided*, that the county or either municipality may furnish the labor for any such construction."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1072, H2576)

No. 1182

An Act To Insure The Availability Of The Funds Required To Meet The Annual Payments To Become Due To The City Of Chester By Reason Of Its Leasing Its Existing Sewage Disposal Facilities To Chester Sewer District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that the City of Chester proposes to assist the Chester Sewer District established by Act 480 of 1963, as amended, (the District), in the establishment of a sewage disposal system for the District by leasing to the District for a term of not exceeding thirty-five years the existing sewage disposal system now owned and operated by the City of Chester for an annual rental of ten thousand dollars plus the assumption by the District of the cost of operating and maintaining the same.

The District for its part will issue bonds and construct and thereafter operate and maintain a system into which will be incorporated the leased system of the City and in that manner will discharge its function of promoting the public health through the operation and maintenance of a sewer system.

The District proposes to impose sewer service charges to be collected by or for the District which will provide funds with which to pay, among other things, the annual rental to become due to the City of Chester.

The General Assembly takes note of the fact that Chester County receives remittances of portions of several statewide taxes which are remitted by the General Assembly to all counties of the State in order that the counties will be better able to discharge the functions of local government committed to them and that it is proper that such moneys be used, if necessary, to insure the annual rental payments to become due to the City of Chester.

SECTION 2. Payment of annual rental.—Whenever the Treasurer of the City of Chester shall certify to the Treasurer of Chester County

that the annual rental due for any year by the District to the City of Chester shall be past due and unpaid, and that no remittance therefor has been made, or if any remittance shall have been made and the amount thereof is less than the rental due to the City of Chester, the County Treasurer shall thereupon utilize from the first moneys thereafter received by Chester County from distributions made to the counties of the State by the State Treasurer pursuant to any act of the General Assembly directing distributions of the revenues derived from statewide tax levies, to the extent that may be necessary to meet the annual rental due by the District to the City of Chester and shall issue to the City Treasurer a check or draft for the required sum.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1073, H2577)

No. 1183

An Act Validating A Special Election Held In The City Of Chester, South Carolina, On The Tenth Day Of December, 1963, For The Purpose Of Determining If The City Council Of Chester Should Be Empowered To Sell The Municipal Waterworks System Of The City Of Chester To The Chester Metropolitan District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that the City Council of the City of Chester, acting pursuant to Article 8, Chapter 4, Title 59, Code of Laws of South Carolina, 1962, ordered a special election in the City of Chester on the tenth day of December, 1963, for the purpose of determining whether the city council might be empowered to sell and convey the municipal waterworks system of the City of Chester to Chester Metropolitan District, a body politic and corporate created by Act No. 379 of the Acts of the General Assembly for the year 1959, as amended by Act No. 478 of the Acts of the General Assembly for the year 1963, and the special election did result favorably by a vote of one thousand ninety-nine to ninety-five.

The General Assembly takes further note of the fact that so far as is known there were no irregularities or contests in the ordering, advertising or holding of the election, but in order to remove all questions it is desirable that the election be validated and approved.

It is further noted that the election is a requisite step in the establishment of a waterworks system by Chester Metropolitan District and that the waterworks system cannot be constructed or financed unless the Chester Metropolitan District acquires the municipal waterworks system of the City of Chester and incorporates it into the system which the Chester Metropolitan District will hereafter construct and operate.

SECTION 2. Special election validated.—The special election held in the City of Chester on the tenth day of December, 1963, resulting favorably by a vote of one thousand ninety-nine to ninety-five upon the following question, viz.:

“Shall the city Council of the City of Chester, South Carolina be empowered to accept the offer made to it by the Chester Metropolitan District, by which the said district proposes to acquire the municipal water system of the City of Chester, with the exception of the city lake and watershed and filtration plant, for the consideration of four hundred ten thousand dollars?”

is hereby validated, confirmed and approved notwithstanding any irregularities in the ordering, advertising or holding of said election, and it is declared that the condition precedent, imposed by Article 8, Chapter 4, Title 59, Code of Laws of South Carolina, 1962, has been fulfilled, and that the City Council of the City of Chester may proceed with the sale and conveyance of the municipal waterworks system of the City of Chester, as authorized by said Article 8.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

An Act To Amend Act No. 458 Of 1949, As Amended, Relating To The Great Falls Public Service District, So As To Provide More Specifically For The Powers And Duties Of The Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 8 of Act 458 of 1949 amended—additional powers and duties.—Section 8 of Act No. 458 of 1949 is amended by adding at the end the following :

“(31) To enter into contracts by which any other special purpose district in Chester County may agree to afford within the District any part or all of any one or more of the services for which the District was created and authorized to provide.

(32) To sell, transfer and convey to any other special service district in Chester County any water lines, installations, facilities, easements and rights at such price, consideration, terms and conditions as the Commission may determine and prescribe.

(33) To lease or convey to any other special purpose district in Chester County any part or all of the sewage disposal system owned and operated by it upon such terms and conditions as the Commission may determine and prescribe.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1332, H2716)

No. 1185

An Act To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965, To Direct The Expenditure Thereof, And Relating To Other Matters In The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The Auditor of Chester County is hereby directed to levy during the year 1964, upon the recommendation and approval of a majority of the Chester County Legislative Delegation, a tax of sufficient number of mills after taking into consideration indirect revenue accruing to the county to provide for the operation of the government of Chester County for the fiscal year beginning July 1, 1964, and ending June 30, 1965. *Provided*, that the treasurer is hereby directed to collect such tax. *Provided*, further, that the Auditor of Chester County is hereby prohibited from the levying of

any tax not approved by a majority of the Chester County Legislative Delegation except as otherwise provided by law for school purposes. *Provided*, further, that if no levy is set for ordinary county purposes, then the levy shall be the same as the preceding year.

Item 1. Administration:

A. Office of Clerk of Court:

Clerk	\$ 4,975.00
Deputy Clerk	3,200.00
Assistant Deputy Clerk	2,550.00

B. Office of Auditor:

Auditor (in addition to amount paid by the State of South Carolina)	1,575.00
Auditor—travel expenses	300.00
Assistant Auditor	3,200.00

C. Office of Treasurer:

Treasurer (in addition to amount paid by the State of South Carolina)	1,575.00
Treasurer—travel expenses	300.00
Assistant Treasurer	3,200.00

D. Tax Collector

Deputy Tax Collector	4,200.00
	2,870.00

E. Office of Judge of Probate:

Judge of Probate, Salary	4,975.00
Deputy Judge of Probate, Salary	2,550.00

F. Office of the County Manager and the County Board of Directors:

Board Members—Chairman, \$1,325.00, four members @ \$1,100.00 each	5,725.00
County Manager	6,615.00

Provided, that the County Manager shall carry out duties as hereinafter prescribed.

Stenographer for County Manager	3,200.00
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G. Board of Equalization and Assessment Control

<i>Provided</i> , that this appropriation or any other funds made available shall be spent by the County Manager upon the recommendation and approval of the Chester County Legislative Delegation.	1,575.00
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H. Legal Services, including County Attorney .. 2,310.00

Provided, that all county agencies, departments, institutions and offices, including County Board of School Trustees and Chester County Hospital Board, shall call upon the legal department for any advice, opinions and other legal information.

I. Premiums on Bonds of County Officials	1,500.00
J. Premiums on Workmen's Compensation Insurance for County Employees	6,000.00
K. Janitor Service—Courthouse and other public buildings	2,100.00
<i>Provided</i> , the County Manager shall use the prison labor when available.	
L. Custodian of Chester County War Memorial Building	880.00
<i>Provided</i> , the custodian shall be appointed by the County Manager upon the recommendation of a majority of the Chester County War Memorial Commission.	
M. Coroner—Salary	1,525.00
Coroner—Travel Expenses	300.00

Item 2. Sheriff's Office:

A. Sheriff	\$ 4,975.00
Deputy Sheriff	4,325.00
Record Clerk	2,550.00

The Sheriff shall set up a complete system of records showing information on all prisoners placed in the jail and any other records he may deem wise.

Provided, the record clerk shall keep such records and such records shall be available to the magistrates and all law enforcement officers.

Provided, further, such records shall show the time when a prisoner is confined in County Jail and when released.

B. Assistant Jailor	2,860.00
<i>Provided</i> , that the Sheriff or Jailor may reside in the living quarters of the jail and shall have charge of the dieting of prisoners in the jail.	

Provided, further, when the Sheriff resides within the jail, he shall serve as Jailor.

- C. Jail expenses in dieting of prisoners and convicts in County Jail 6,000.00

Provided, that the Jailor or Sheriff keep an accurate record of the time a prisoner enters and leaves the County Jail and the number of meals served each prisoner while he is confined in the County Jail, Such Jailor or Sheriff shall be paid on the basis of thirty cents per meal.

Provided, further, that the County Manager shall have supervision of and shall be held responsible for the expenditure of the above appropriation and shall be empowered to make rules and regulations of the expenditure thereof. *Provided*, further, that the Jailor or Sheriff shall submit to the County Manager his record of time each prisoner or convict spent in County Jail. Such records shall be used as a basis of payment by the County Manager for the dieting of prisoners and convicts. The record shall be kept in Jail Book on file in County Jail, and all entries shall be made with ink or indelible pencil. *Provided*, further, that before payment is made by the County Manager to the Jailor or Sheriff the County Manager shall compare and check record submitted by Jailor or Sheriff with the Jail Book in the Sheriff's Office.

Item 3. Magistrates:

A. First District	\$ 3,700.00
B. Second District	1,325.00
C. Third District	1,525.00
D. Fourth District	1,100.00
E. Fifth District	960.00
F. Sixth District	960.00
G. Seventh District	3,300.00
H. Magistrates' Constables (5)	1,348.28

- Item 4. Law Enforcement, Countywide (Chester County Police) \$ 36,604.03

Provided, that at least two officers shall be on duty at all times during the hours of darkness.

Item 5. Law Enforcement, Great Falls Area\$ 22,076.25

Item 6. Miscellaneous Law Enforcement:

A. Support and Maintenance of Convicts at Stockade\$ 10,000.00

B. Technician for Police Radio 600.00

C. Leased Telephone Line for Great Falls Law Enforcement Officers 1,080.00

D. Police Radio Operator 3,200.00

E. County Share for Police Radio Operator 1,600.00

F. Relief Operator, Police Radio 885.00

Provided, that Police Radio Operators and Police Radio Technician shall be employed by the Chester County Police Commission upon the recommendations of the Chief of County Police; and *provided*, further, that the Chester County Police Commission shall prescribe the duties of the Police Radio Operator and Police Technician.

G. Uniforms and supplies for Law Enforcement Officers 2,000.00

Provided, that the County Manager shall purchase uniforms as needed.

Provided, further, that when a new law enforcement officer is hired there is hereby authorized and directed a deduction of \$25.00 per month from such officer's pay for a period of six months to apply to the purchase of uniforms.

H. Jurors and Witnesses, including Magistrates' Jurors for regular or special term of court 6,000.00

Provided, that jurors for the Circuit Court shall be paid mileage each way for each mile actually traveled each day at 5¢ per mile.

Provided, further, jurors shall be paid at the rate of seven dollars and fifty cents per day.

Provided, further, Magistrates' Jurors shall be paid as provided by law.

I. Post Mortems, Inquests, Lunacy Commitments 1,000.00

- J. For operation of Law Enforcement automobiles 6,500.00
Provided, that identification signs shall be placed on all Chester County law enforcement automobiles. The County shops shall be used for maintenance of all law enforcement automobiles and vehicles whenever possible.
Provided, further, that law enforcement automobiles shall be used for official business only.
- K. Highway Patrol, telephones 1,000.00
- L. Jailor, Great Falls Jail 1,200.00
Provided, Jailor shall be appointed by County Manager upon the recommendation of the Chester County Legislative Delegation.

Item 7. Farm Agencies:

- A. Supplement to County Agent\$ 992.25
- B. County Agent for supplemental postage, telephone, etc. 50.00
- C. Supplement to Salary of Assistant County Agent 661.50
- D. Supplement to County Agent's Stenographer 441.00
- E. Boys' 4-H Club Work 50.00
- F. Girls' 4-H Club Work 50.00
- G. Supplement to Salary of Home Demonstration Agent 330.75
- H. Supplement to Stenographer for County Home Demonstration Agent 661.50
- I. Supplies for Home Demonstration Agent 100.00
- J. Supplement to Salary, Associate County Agricultural Agent 265.00
- K. Janitor Service 48.00
- L. Rent 240.00
- M. Lights 24.00
- N. Fuel 80.00
- O. Telephone 122.00
- P. Secretary to Associate Agricultural Agent and Associate Home Demonstration Agent 1,575.00
- Q. Associate Home Demonstration Agent, Material 60.00
- R. Associate Agricultural Agent, Demonstration Material 50.00

S. Negro 4-H Club Club Work, Boys' and Girls'...	150.00
T. Associate Home Demonstration Agent	\$ 1,918.35
Item 8. Welfare:	
A. Supplement to Salary of County Director of Public Welfare	\$ 315.00
B. Supplement to Chester County Public Welfare Board	428.40
<i>Provided</i> , that members shall be paid at the rate of ten dollars per meeting and for mileage. (12 meetings per year.)	
C. Supplement to salaries of Case Workers and Junior Stenographers, Chester County Welfare Department, to be paid at the rate of \$10.00 per month per worker	882.00
Item 9. Health:	
B. County Health Department	\$ 13,830.00
C. Tuberculosis Clinic Work	800.00
D. County Physician	1,525.00
Item 10. Veterans:	
A. Service Officer for Veterans of all wars	\$ 4,095.00
B. Travel for Service Officer, if so much be necessary	1,200.00
C. Stenographic Help for Service Officer	2,400.00
Item 11. National Guard Unit at Chester	\$ 1,500.00
Item 12. Road Department:	
A. Road equipment and expenses of operation of same, including road construction program operated in connection with and under the supervision of the State Highway Department on State highways, including labor, roads, bridges, culverts and pipe lines	\$ 57,500.00
<i>Provided</i> , that the above amount is appropriated for the above-stated purposes only, and before any new road construction or new projects are undertaken by the County Manager and County Board of Directors, prior appropriation therefor shall be made by the County Legislative Delegation. <i>Provided</i> , further, that the County Manager shall be held responsible for any construc-	

tion or new projects made contrary to the above provisions.

Provided, further, that all trucks, motor graders, tractors and other equipment shall have identification signs showing that they are the property of Chester County. Such signs shall be as follows: "Property of Chester County."

Item 13. Miscellaneous:

A. Contributions on office rent, heat, water, lights, janitor service, Farm Home Administration . . . \$	160.00
B. Public Buildings, including water, lights, fuel and insurance, including Health Centers, Great Falls Jail and Chester County War Memorial Building	12,000.00
C. Printing, postage and stationery	10,000.00
D. Retirement and Social Security, County employees	12,000.00
E. Chester County Commerce and Development Board, for advertising county advantages, if so much be necessary	6,000.00
F. Chester Soil Conservation District to be used in employment of personnel to work with the Soil Conservation Service	500.00
G. Miscellaneous Expenses, County Manager	1,200.00
H. Civil Defense, if so much be necessary	6,000.00
<i>Provided</i> , the appropriation for Civil Defense shall be budgeted by the County Manager and the Director of Civil Defense with the approval of the Chester County Legislative Delegation.	
I. Board of Registration	500.00
J. Expenses, Tax Notices and Auditing Fees . .	1,000.00
K. Premium, Accident Insurance, County Law Enforcement Officers	275.00
L. Nursing Home Patients, if so much be necessary	4,500.00
<i>Provided</i> , that the above amount shall be expended by the County Manager on patients in nursing homes that are approved by the State Board of Public Welfare and the State Health Department; <i>provided</i> , further, that such pa-	

tients shall be approved by the Chester County Welfare Department.

N. Chester County Library (in addition to levy made hereinafter in Section 2) 5,000.00

O. Mental Health Clinic, Chester County's Contribution 4,970.43

Provided, this amount is hereby appropriated contingent upon the operation of a mental health clinic in conjunction with Lancaster and York Counties.

P. Hospitalization of charity patients whose condition demands hospitalization, if so much be necessary 15,000.00

Provided, that the treasurer shall make these funds available direct to the Chester County Hospital Board upon itemized statements of the number of days spent in the hospital by charity patients signed by each patient and certified by the hospital management. *Provided*, further, the Chester County Hospital Board is responsible for and charged with the expenditure of the above levy for hospitalization of charity patients and is hereby authorized and directed to make such investigations in order to determine who is eligible for charity hospitalization as they deem wise. *Provided*, further, that the Chester County Board of Public Welfare is hereby directed to make any such investigations of charity patients as the Chester County Hospital Board may request. *Provided*, further, that the charity patients referred to herein shall be citizens of Chester County.

Total \$367,323.46

SECTION 2. The following taxes are levied upon the taxable property of Chester County for the year 1964 for expenditure during the fiscal year commencing July 1, 1964 and ending June 30, 1965 for the following purposes:

(a) To provide funds for retiring and paying interest on Chester County Hospital bonds (issue of 1950), three mills;

(b) For county roads, five mills, to be expended on the county roads. Such expenditure shall include labor, roads, bridges, culverts and pipe lines and the construction program operated in connection with and under the supervision of the State Highway Department on roads now in or roads to be placed in the State Highway System. The funds raised from this levy are appropriated for the above stated purposes only, and any new road construction or projects shall not be undertaken by the County Manager or the County Board of Directors unless and until an appropriation has been made therefor by the county legislative delegation;

Provided, the road construction program operated in connection with the South Carolina Highway Department shall be discontinued upon approval of the majority of the Chester Legislative Delegation.

(c) For Chester County Library, one and three-quarters mills; *provided*, this levy shall supersede levy made in Act No. 293 of the Acts of the General Assembly of 1949.

Provided, however, that the Auditor of Chester County is hereby directed, upon the written approval of a majority of the Chester County Legislative Delegation, to reduce these levies or to eliminate them entirely.

Provided, further, that in case the funds provided by the above levies prove to be more than enough for such purposes, the treasurer, upon the written authority of the majority of the Chester County Legislative Delegation, shall transfer such excess funds to the Chester County Contingent Fund.

SECTION 3. The county treasurer is empowered to borrow in anticipation of taxes levied so much money as may be necessary to pay the authorized expenses of the county in case of emergency; *provided*, it shall be borrowed upon the request of the board of county directors, with the approval in writing of a majority of the Chester County Legislative Delegation.

SECTION 4. In the event it should be found that the amount appropriated for any specific purpose is more than is necessary, the county manager shall have the right, with the written approval of a majority of the legislative delegation, to apply such surplus to other necessary county purposes. *Provided*, that the county manager shall not have the right to exceed the appropriations herein made for any specific purpose unless he is authorized prior thereto in writing by a majority of the legislative delegation.

SECTION 5. All county officers, departments, boards and agencies, including the jailor, when in need of supplies, shall make written requisition to the county manager for all supplies needed and in no case shall any purchases be made except as above specified.

SECTION 6. The errors, if any, in the total of this act shall not affect any of the several items named herein.

SECTION 7. The salaries, expense items and rents herein provided for shall be payable monthly, unless otherwise specified and provided.

SECTION 8. The county manager is hereby authorized to allow pay for full ten days' time every two weeks for regular truck drivers, regular machine hands, regular machinists or mechanics, regular foremen of bridge gangs and regular patrol foremen when their time may be interfered with by weather conditions; *provided*, these employees shall be paid weekly; *provided*, however, that these employees report for work and do such work as conditions will permit; *provided*, further, that this shall not interfere with previous arrangements made by the county manager in cases of sickness of employees and shall not interfere with the number of holidays heretofore allowed and *provided*, further, that the provisions of this section shall not be construed to interfere with the authority of the county manager to discharge any employee for cause, dismiss one when his term of employment has expired, or "lay off" one when his services are not needed, or when there are no funds with which to pay for the work in which he is engaged. *Provided*, further, that the county manager is hereby authorized to allow a vacation of one week each year with pay for such employees who have been in the employ of the county for one full continuous year immediately preceding such vacation. *Provided*, further, that the rate of pay for all county road employees shall be determined and fixed by the county manager and shall be consistent with the amount appropriated each year in the annual Chester County Appropriations Act. *Provided*, further, that when the pay is so determined by the county manager, such rates of pay shall be recommended to the county board of directors for their approval. *Provided*, further, that the county manager is hereby authorized and directed to increase salaries of all county road employees enumerated above five per cent as of July 1, 1964.

SECTION 9. The furniture, fixtures and equipment located on the second floor of the Chester County War Memorial Building shall not be loaned or removed from the building.

SECTION 10. The county manager is hereby authorized to lease or sell land and building formerly known as the Chester County Nursing and Convalescent Home. *Provided*, that before any lease or sale is made by the county manager he shall submit same to the county board of directors and county legislative delegation for their approval.

SECTION 11. The salaries appropriated in this act for all county officers and offices are appropriated in lieu of all fees now provided by law and shall be paid in lieu of all fees.

SECTION 12. The salary for the court bailiff is hereby fixed at ten dollars per diem for days actually served in court.

SECTION 13. The county manager and the executive secretary of the Chester County Board of School Trustees are hereby authorized and directed to post on or before the tenth day of each month, on the bulletin board in the courthouse, an itemized list of all disbursements made during the preceding month and shall forward a copy to each member of the legislative delegation.

SECTION 14. The county manager is hereby authorized and directed to maintain all streets in the City of Chester not now in the State Highway System.

SECTION 15. The words "County Delegation", "majority of the legislative delegation", and words of similar import when used to refer to the group which must approve or take certain action shall, in all cases when used in this act or any act applicable to Chester County, mean the Senator and one-half of the members of the House of Representatives from Chester County.

SECTION 16. The county manager shall annually inventory and identify by proper number of markings all furniture, fixtures and equipment owned by Chester County.

SECTION 17. The levy provided for in Section 21-1816 of the 1962 Code, as amended, shall be at no greater rate than the rate for the fiscal year 1963-1964 and shall be utilized only for the operation of the schools of Chester County.

SECTION 18. During such times as the county offices are required to remain open, according to the provisions of Section 14-1357 of the 1962 Code, all full time county officials and employees shall devote full time to the duty for which elected or employed, and they shall not engage in any other employment or activity for financial return.

SECTION 19. The Chester County Board of School Trustees shall be paid at the rate of twenty-five dollars per day for not to exceed twelve meetings per year. *Provided*, this shall be paid out of school funds.

SECTION 20. All schools and county offices in Chester County shall be closed on Labor Day.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1336, H2575)

No. 1186

An Act To Amend An Act Relating To The Chester Water And Sewer District Created By Act No. 480 Of The Acts Of 1963 By Changing The Name Of The District So Created To The Chester Sewer District, By Redefining The Territory Comprising Such District, And Redefining The Functions Of The District And Its Governing Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that it did by Act No. 480 of the Acts of the General Assembly for the year 1963 create the Chester Water and Sewer District and did commit to it the function of establishing and maintaining adequate water and sewer systems therein. The District as thus constituted excluded the City of Chester. By legislation also enacted in 1963 Chester Metropolitan Water District was created and given powers with respect to the operation of a water system which might be deemed in conflict with the powers given to Chester Water and Sewer District insofar as the function of operating waterworks systems is concerned.

Studies have been made pursuant to Act No. 480 of 1963, and it has now been determined that the function of the Chester Water and Sewer District should be limited to the construction, acquisition, maintenance and operation of sewage disposal facilities and that the area of the District should be enlarged so as to include the City of Chester.

The City of Chester has operated a system for sewage disposal which should be utilized in any plan to provide sewage collection and disposal services for the District as hereafter constituted. The Chester City Council has indicated its willingness to lease to the District its existing sewage disposal facilities, and in order to accomplish the purposes set forth above, it has been determined to amend Act No. 480 of 1963 so as change the name of the District therein created, to redefine the territory of the District, and to further define the functions and powers of the District.

SECTION 2. Section 1 of Act 480 of 1963 amended—Chester Sewer District created—area.—Section 1 of Act No. 480 of the Acts of 1963 is amended by striking out the same and inserting in lieu thereof the following which shall become Section 1:

“Section 1. There is hereby created and established in Chester County a district to be known as Chester Sewer District, with such duties, powers and authority as herein provided; it shall be a body politic and corporate, of perpetual succession and shall function in accordance with the provisions of this act. The district shall be comprised of the territory within the following descriptions: all that area of land lying within the corporate limits of the City of Chester, in Chester County, South Carolina, and such additional area of land as is bounded by a line beginning at a point near Springmaid Golf Course at the intersection of the line of the Chester city limits with the center line of a road or street being Highway No. 321 Extension and running in a westerly direction with the center line of said Highway No. 321 Extension to the eastern margin of a highway being Highway No. 321 By-Pass, and running thence with the eastern margin of said highway Highway No. 321 By-Pass to a point where the extension of the line of a public road known as S. M. Gibson Road intersects the eastern margin of said Highway No. 321 By-Pass, thence in a western direction to and along said S. M. Gibson Road to Pine Ridge Road, thence in a southerly direction along said Pine Ridge Road to the northeastern corner of W. M. Bailey lot, thence in a western direction 500 ft. along Bailey

line extended, thence in a southerly direction along a line 500 ft. west of and parallel to said Pine Ridge Road to State Highway No. 9, thence along State Highway No. 9 in an easterly direction to Secondary Highway No. 304, thence along Secondary Highway No. 304 to intersection with a public road known as Roland Ferrell Road, thence along said Roland Ferrell Road and a line extending in the same direction to S. A. L. Railway, thence in a straight line to a point on State Highway No. 72, 500 ft. southwest of City limits, thence along State Highway No. 72 to City limits, thence along City limits in a northerly direction in an arc to the right to the point of beginning.

Also all that area of land adjoining and outside the corporate limits of the City of Chester, in Chester County, South Carolina, being bounded by a line beginning at a point on Chester City limits 500 ft. southwest of intersection of said City limits with Highway No. 321, known as Columbia Street, and running thence in a southeasterly direction along a line 500 ft. southwest of and parallel to Highway No. 321 to a point opposite intersection of Highway No. 321 and Highway No. 97, thence along a line 500 ft. southwest of and parallel with Highway No. 97 to a point opposite Old Purity Church and graveyard, thence across Highway No. 97, between the Church and graveyard to rear, southeastern corner of property of Chester County Hospital, thence in northwesterly direction along rear line of Chester County Hospital property to northeast corner thereof, thence in a straight line to a point on eastern margin of Southern Railway right-of-way 200 ft. northwest of intersection of said railway right-of-way margin and State Highway No. 97, thence along said Southern Railway right-of-way to a point 500 ft. southeast of No. 72 By-Pass, thence in a line 500 ft. southeast of and parallel with said No. 72 By-Pass to a point opposite Wilson Street, thence to and along Wilson Street to L. & C. Railway, thence in a northeasterly direction along said L. & C. Railway to a point 200 ft. east of No. 72 By-Pass, thence in a line 200 ft. east of and parallel with No. 72 By-Pass to a point 500 ft. from Grassy Run Branch, thence in an easterly direction 500 ft. from and parallel with said Grassy Run Branch to a point 200 ft. below the Springs Mill Eureka Disposal Plant, thence to a point at intersection of eastern line of Robbins Circle Development with S. A. L. Railway right-of-way, thence to a point at intersection of northern line of Red's Place with northwest margin of Highway No. 72, thence along northern boun-

dary of Red's Place and Extension thereof to a point 500 ft. from said northwest margin of Highway No. 72, thence to rear of northern corner of Clayton Wright lot, thence to a point on Southern Railway 200 ft. northeast of Secondary Highway No. 187, thence in a westerly direction 200 ft. from and parallel with said Highway No. 187 to C. & N. W. Railway right-of-way, thence in a direction toward rear corner of Fair Grounds to City limits, thence along City limits in a southerly direction in an arc to the right to the point of beginning."

SECTION 3. Section 2 of Act 480 of 1963 amended—to be governed by a commission.—Section 2 of Act No. 480 of the Acts of 1963 is amended by striking out the same and inserting in lieu thereof the following which shall become Section 2:

"Section 2. The District shall be governed by a Commission composed of five members who shall be qualified electors, resident in the District, and who shall be appointed by the Governor, upon the recommendation of the Senator and at least one-half of the Chester County legislative delegation; the terms of office of the members of the Commission shall be for four (4) years and until their successors shall have been appointed and qualified. Any vacancy occurring by death, resignation or otherwise, shall be filled by appointment in the manner of appointment herein set forth, for the unexpired portion of the term. All members of the Commission shall serve without compensation.

The Commission shall organize and shall elect from among the members a Chairman and a Secretary.

It shall be the function of the District, to be performed by the Commission, to provide for the operation, maintenance, enlargement and improvement of such system of sewage disposal facilities as the Commission shall from time to time deem necessary to the health of those living within the District. The system of sewage disposal shall include sewer lines, pipes, pumps, treatment plants, lagoons and other facilities both within and without the District, for collection, treatment, dispersal and disposal of sewage."

SECTION 4. Section 3 of Act 480 of 1963 amended—powers.—Section 3 of Act No. 480 of the Acts of 1963 is amended by striking out the same and inserting in lieu thereof the following which shall become Section 3:

"Section 3. To the end that the functions of the District may be conveniently exercised, the Commission shall be empowered to:

(1) Enter into contracts by which any other special purpose district or districts in Chester County may agree to maintain and operate any part or all of any sewage disposal system or systems of Chester Sewer District or under its control, on a cost basis or any reasonable basis.

(2) Sue and be sued, (except that the right to be sued shall not extend any waiver of sovereign immunity).

(3) Adopt, use and alter a corporate seal.

(4) Make bylaws for the management and regulation of its affairs, and to define a quorum for its meetings.

(5) Accept gifts and grants.

(6) Make any and all regulations which shall be deemed appropriate in connection with the construction, establishment, maintenance and use of any sewage facilities possessed by the District or under its control.

(7) Prescribe regulations requiring persons who shall be residents of the District to make use of any sewer system which the District shall place or continue in operation. Such regulations, however, shall become effective when they have been adopted by resolution of the Commission, a certified copy thereof has been filed in the office of the Clerk of Court for Chester County, a copy has been posted in the Chester County Courthouse, and the notice of the adoption and filing of the regulations has been published at least once a week for three successive weeks in a newspaper published in Chester County. The notice shall specify in brief the scope of the regulations and shall state the date on which the same shall become effective. Prior to the adoption of the aforesaid resolution, the Commission shall give public notice of the time and place of the meeting which is to be held to consider the adoption of such resolution and notice of such meeting shall appear in a newspaper published in Chester County, not less than seven days prior to the occasion fixed for the holding of such meeting. Any persons affected may attend such meeting in person or by attorney. The provisions of this paragraph, prescribing conditions upon the effectiveness of regulations adopted to require compulsory use of sewer facilities, shall not be deemed to impose mandatory conditions upon the making or adoption of any other type of regulation authorized by this Act.

(8) Acquire, establish, maintain, operate, extend, enlarge and improve such system of sewers, sewer lines, sewer mains, and sewage

disposal and treatment facilities as, in the opinion of the Commission, is required for the maintenance of the health of the District.

(9) Purchase, lease and hold real property, easements and property rights reasonably necessary to enable it to carry out its functions.

(10) Purchase or lease existing sewer lines, mains, systems, sewage disposal or treatment plants and to make contracts whereby they may be connected to the lines or systems which it may establish.

(11) Make such contracts as shall be reasonably necessary in order that the District may be adequately served for the collection, treatment and disposal of sewage.

(12) Employ such engineering, clerical and other help as it deems necessary, and fix the salaries and compensation of such employees.

(13) Place into effect and to revise a schedule of rates and charges upon all those who use the sewage facilities of the District.

(14) Require a permit for connection with any sewer constructed and maintained by the Commission, and as a condition to the issuance of any such permits to promulgate regulations prescribing the type and manner of connections permitted to be made therewith, and to inspect such connections to insure compliance, and to make a reasonable charge for permits sufficient to cover the cost thereof and of such inspection.

(15) Make use of county and State highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(16) Exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Chapter 3, Title 25, Code of Laws of South Carolina, 1962, or by following the procedure for the exercise of eminent domain by the State Highway Department, prescribed by Article 2, Chapter 3, Title 33, Code of Laws of South Carolina, 1962.

(17) Contract with the governing agency of any municipal corporation or special purpose district for the collection of sewer charges imposed for the use of any sewage disposal facilities maintained by the District. Such contract may empower such governing agency to add charges, made for the use of the sewage disposal system, to the water bill of any person who shall obtain water from any waterworks system operated by such governing agency, and to disconnect or discontinue all service upon the failure to pay such bill.

(18) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extension, addition, and improvement thereto, including engineering costs, construction costs, the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation, such sum as is needed to supply working capital to place the system in operation, and all other expenses of any sort that the district may incur in establishing, extending and enlarging the system. Neither the members of the commission, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682 of the 1962 Code, as now or hereafter constituted, it being the intent of the provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the powers conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by either such statute. Specifically, and notwithstanding contrary provisions in any of such code provisions, if contrary provisions there be, the district may:

(1) Disregard any provision requiring that bonds have serial maturities, and issue bonds with such maturities as the district shall determine.

(2) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the commission.

(3) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(4) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other types of securities.

(5) Dispose of all obligations at public or private sale, and upon such terms and conditions as it shall approve.

(6) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve.

(7) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount.

(8) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation, or any subdivision or division of the State.

(9) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(10) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived."

SECTION 5. Section 4 of Act 480 of 1963 amended—exempt from taxes.—Section 4 of Act No. 480 of the Acts of 1963 is amended by striking out the same and inserting in lieu thereof the following which shall become Section 4:

"Section 4. The property of the District shall be exempt from all taxes of whatever kind or nature."

SECTION 6. Section 5 of Act 480 of 1963 amended—unlawful acts—penalties.—Section 5 of Act No. 480 of the Acts of 1963 is amended by striking out the same and inserting in lieu thereof the following which shall become Section 5:

"Section 5. It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with or impair any facility of the District, or any part of the same, or any apparatus or equipment incident thereto or used or useful in the operation of such facility to connect to its sewers except in accordance with the

regulations promulgated by the Commission. Any person so offending shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars, or shall be imprisoned for not more than thirty days at the discretion of the Court, and shall be further liable to pay all damages suffered by the District."

SECTION 7. Section 6 of Act 480 of 1963 amended—enforcement of regulations.—Section 6 of Act No. 480 of the Acts of 1963 is amended by striking out the same and inserting in lieu thereof the following which shall become Section 6:

"Section 6. Any regulation adopted by the Commission pursuant to this act in the interest of the health of the District may be enforced upon application to any Court of competent jurisdiction through the means of mandatory injunction or any other remedial process."

SECTION 8. Act 480 of 1963 amended—certain sections repealed.—Act No. 480 of the Acts of 1963 is further amended by striking out, in their entirety, Sections 7, 8, 9, 10, 11, 12, 13, 14, 19, 21 and 22.

SECTION 9. Repeal.—All acts or parts of acts inconsistent herewith are repealed to the extent of such inconsistencies.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1337, H2578)

No. 1187

An Act To Amend Act No. 379 Of 1959, As Amended, Relating To The Chester Metropolitan District, So As To Alter The Membership Of The Commission And Further Define The Rights And Duties Thereof, And To Redefine The Boundaries Of The District And To Validate And Ratify Certain Acts Of The Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 379 of 1959 amended—to be governed by a commission.—Section 2 of Act No. 379 of 1959, as amended by Section 3 of Act No. 478 of 1963, is further amended by

striking out the section in its entirety and inserting in lieu thereof the following:

"Section 2. The district shall be governed by a commission composed of nine members who shall be residents of the district. The members who shall first serve on the commission after the effective date of this act, until their successors are elected and qualified as hereinafter provided, shall be as follows: the mayor of the City of Chester, *ex officio*, during his term of service as mayor of the City of Chester; the chairman of the Water Committee of the Chester City Council, *ex officio*, during his term of service as a member of the Chester City Council; the chairman of the Finance Committee of the Chester City Council, *ex officio*, during his term of service as a member of the Chester City Council; the chairman of the Great Falls Public Service Commission, *ex officio*, during his term of service as a member of the Great Falls Public Service Commission; the secretary of the Great Falls Public Service Commission, *ex officio*, during his term of service as a member of the Great Falls Public Service Commission; the clerk of the Town Council of Fort Lawn, *ex officio*, during his term of service as a member of the Town Council of Fort Lawn; the clerk of the Town Council of Richburg, *ex officio*, during his term of service as a member of the Town Council of Richburg; the chairman and the secretary of the Chester Metropolitan Commission as it was constituted prior to the amendments effected by this amendatory act, *ex officio*; *provided*, that any vacancy occurring in either of these two offices prior to the elections provided for herein shall be filled by appointment by the Governor upon the recommendation of the Senator and one-half of the Chester County Legislative Delegation. *Provided*, the term of office of those members of the commission who shall serve first, or their successors in office by virtue of which they serve as *ex officio* members of the commission, shall continue until the completion of the construction of the water project contemplated by this act, and until their successors in office shall have been elected as herein provided and shall qualify.

At the first general election after the completion of construction of the water project contemplated by this act, the Chester Metropolitan Commission shall be elected for terms as follows: three shall be residents of the City of Chester, two shall be residents of the Great Falls Public Service District, one shall be a resident of the Town of Fort Lawn, one shall be a resident of the Town of Rich-

burg, and two shall be residents of the remaining area of the Chester Metropolitan District. The terms of those first elected from the City of Chester, the Great Falls Public Service District, and the said remaining area of the Chester Metropolitan District shall be staggered as follows: of the three from the City of Chester, one shall be for a term of four years and two shall be for terms of two years; of the two from the Great Falls Public Service District, one shall be for a term of four years and one shall be for a term of two years; the terms of office of the commissioners from Fort Lawn and Richburg each shall be for terms of four years; and of the two from the said remaining area of the Chester Metropolitan District, one shall be for a term of four years and one shall be for a term of two years. The length of the staggered terms shall be determined by lot at the first meeting of the commission after election. The terms of office of those elected shall commence on Monday following their election, and they shall hold office until their successors are elected and qualify.

The election of members of the commission shall be by the qualified electors of the particular areas of which the members are residents. Their successors shall be elected in like manner for terms of four years.

At the first meeting of the commission, it shall organize itself by electing one of the members as chairman and such other officers as it may consider necessary. It shall adopt an official seal.

Any vacancy on the commission after the first general election held pursuant to the terms of this act and occurring prior to the expiration of the term for which elected shall be filled for the unexpired portion of the term by appointment by the Governor upon the recommendation of the Senator and one-half of the Chester County Legislative Delegation."

SECTION 2. Subsection (d) of Act 379 of 1959 amended—power to sell water.—Act No. 379 of 1959, as amended by Section 4 of Act No. 478 of 1963, is further amended by striking out subsection (d) of Section 3 in its entirety and inserting in lieu thereof the following:

"(d) To sell water from its plant or system for industrial or domestic use, and it shall be its duty where feasible and practical to do so, to the residents of the district or to those not residents thereof if there remains a surplus after having provided the re-

quirements of those who are residents of the district, in conformity with a rate schedule to be prescribed by it and to make and enforce such reasonable rules and regulations as it may deem proper to secure itself against nonpayment of its charges therefor. The district shall have the exclusive right to sell and distribute water as a public service in the district outside the limits of any incorporated city or town."

SECTION 3. Section 3 of Act 379 of 1959 amended—subsections added—additional powers.—Act No. 379 of 1959, as amended by Act No. 478 of 1963, is further amended by adding to Section 3 of the act the following additional subsections as follows:

"(h) To enter into contracts by which it may agree to collect charges imposed for sewage disposal service by any governing agency of any special purpose district or districts in Chester County. In such event the commission shall, if any such contract so provide, act as the agent for the governing agency concerned; and the commission shall provide or discontinue both water and sewage disposal service in accordance with the regulations of the governing agency, to the extent that the commission shall have so agreed in any such contract.

(i) Make use of county and State highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(j) Construct, maintain and operate its water lines through, upon, over and under any of the public lands within the district, under, over, along and upon any of the highways or public roads within the district, over, through or under any of the waters within the district; *provided*, the lines are constructed so as not to interfere with the use of such highways or public roads or the navigation of such waters.

(k) Enter into contracts by which it may agree to maintain and operate any sewage disposal system or systems of or under the control of any special purpose district or districts in Chester County on a cost basis or any other reasonable basis and to maintain and operate any sewage disposal system or systems as the commission shall have so agreed in any such contract."

SECTION 3A. Employment of executive director.—The commission shall employ an executive director who shall be superin-

tendent-in-charge of the entire operation of the district. The executive director shall be employed at such salary as may be determined by the commission, not to exceed seven thousand dollars per year. The right to remove or discharge a person holding the position of executive director shall be reserved to the commission. The executive director shall be the administrative officer of the district and shall administer the affairs of the commission. He shall carry out the policies defined by the commission. In the absence of the commission or when the commission is not in session, he shall perform the duties and carry out those functions authorized by law for the commission. He shall have general supervision of all buildings and equipment and property of the district, and shall advise and cooperate with the commission, and shall attend all its regular meetings. He shall organize and maintain an efficient system of operation of the district, which shall include a record of all receipts and disbursements and purchases, and shall render to the commission a monthly inventory of all materials, supplies, equipment and machinery on hand. He shall make a monthly report to the commission which shall include all receipts and expenditures. The executive director shall employ all employees of the district, subject to the approval of the commission.

SECTION 4. Section 1 of Act 379 of 1959 amended—Chester Metropolitan District created—area.—Section 1 of Act 379 of 1959, as amended by Section 2 of Act No. 478 of 1963, is further amended by adding between the figures "152" and the word "to" on line 3 of page 849 the following: "to a point 1,000 feet northeast of S. C. Highway 9; then runs 1,000 feet northeast of and parallel to S. C. Highway 9 to Sandy River; then runs in a southerly direction with Sandy river to a point 1,000 feet southwest of S. C. Highway 9; then runs in an easterly direction 1,000 feet southwest of and parallel to S. C. Highway 9". The section when amended shall read as follows:

"Section 1. There is hereby created and established in Chester County a district to be known as the Chester Metropolitan District, with such duties, powers and authority as herein provided, which shall be a body politic and corporate, and be subject to the rules, regulations and provisions of this act. The district shall be comprised of the territory embraced within the following descriptions:

The district boundary begins at the Catawba River one mile north of S. C. Highway 9; then runs one mile from and parallel to S. C. Highway 9 to a point 1,000 feet northeast of S. C.

Road 12-136; then runs 1,000 feet northeast and parallel to S. C. Road 12-136 to a point 1,000 feet northwest of the Seaboard Air Line Railroad; then runs 1,000 feet northwest and parallel to the Seaboard Air Line Railroad to a point one mile northwest of S. C. Highway 9; then runs one mile northwest and parallel to S. C. Highway 9 to a point 1,000 feet east of S. C. Road 12-329; then runs 1,000 feet east and parallel to S. C. Road 12-329 to the center line of S. C. Highway 72; then runs in a direct line to the intersection of S. C. Road 12-1 and S. C. Road 12-152; then runs along S. C. Road 12-152 and to a point 1,000 feet northwest of S. C. Road 152; then runs 1,000 feet northwest and parallel to S. C. Road 152 to a point 1,000 feet northeast of S. C. Highway 9; then runs 1,000 feet northeast of and parallel to S. C. Highway 9 to Sandy River; then runs in a southerly direction with Sandy River to a point 1,000 feet southwest of S. C. Highway 9; then runs in an easterly direction 1,000 feet southwest of and parallel to S. C. Highway 9 to a point 1,000 feet northwest of S. C. Road 12-304; then runs 1,000 feet west and parallel to S. C. Road 12-304 to the center line of S. C. Highway 72; then runs along the center line of S. C. Highway 72 to the northern boundary of Chester State Park; then runs in a southeasterly direction along the boundary of Chester State Park to the center line of S. C. Road 12-16; then runs along the center line of S. C. Road 12-16 to a point 1,000 feet southwest of S. C. Road 12-350; then runs 1,000 feet south and parallel to S. C. Road 12-350 to the center line of U. S. Highway 321; then runs in a direct line to the intersection of S. C. Highway 97 and Bull Run Creek; then runs in a direct line to a point in the center line of S. C. Road 12-44 and 1,000 feet east of the Williamsville Church Road; then runs east of and parallel to the Williamsville Church Road to a point 1,000 feet south of the Lancaster and Chester Railway Line; then runs 1,000 feet south of and parallel to the Lancaster and Chester Railway Line to a point one mile southwest of S. C. Highway 9; then runs one mile southwest of and parallel to S. C. Highway 9 to a point 1,000 feet southwest of S. C. Highway 99; then runs 1,000 feet southwest of and parallel to S. C. Highway 99 to a point 1,000 feet north of S. C. Highway 97; then runs 1,000 feet north of and parallel to S. C. Highway 97 to the center line of Rocky Creek; then runs

along the center line of Rocky Creek to the center line of the Catawba River; and then runs along the center line of the Catawba River to the beginning point.”

SECTION 5. Prior actions ratified.—All actions, obligations and contracts heretofore done, entered into, and made by the Chester Metropolitan Commission are ratified and confirmed and shall be binding upon the District and the nine-member commission herein provided for to the extent that the same would have been binding upon the District, and upon the three-member commission without and before the amendment of this amendatory act; and likewise all rights and privileges shall inure and continue to the District and the nine-member commission herein provided for.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1354, S891)

No. 1188

An Act To Empower The Chester County Natural Gas Authority To Refund Its Outstanding Bonds, To Fund Its Other Indebtedness, To Raise Other Moneys Required For Improvements To Its Natural Gas System, To Prescribe The Terms And Conditions Under Which Such Obligations Of The Authority May Be Issued, And To Make Provision For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds:

(1) That it did, by Act No. 802 of 1954, as afterwards amended by Acts Nos. 527, 528 and 529 of 1957, create the Chester County Natural Gas Authority (the Authority) and did empower it to construct and operate natural gas distribution systems within the service area therein prescribed for it, together with such transmission lines as might prove necessary therefor, and in order to provide a means with which it might obtain funds for the construction, maintenance and improvement of its system, did empower it to issue bonds payable from the revenues of its system to such extent as might prove necessary.

(2) In order that a convenient procedure for borrowing money might exist, there was vested in the Authority all of the powers set forth in the statute now codified as Sections 59-361 to 59-415, inclusive, and Sections 59-651 to 59-682, inclusive, of the 1962 Code.

(3) Afterwards, the Authority, exercising powers made available to it, has issued three issues of bonds, all of which are now in default. The Authority has been diligently seeking to remedy the default and its affairs have improved to the point where it feels that it is feasible to effect a refunding of its outstanding bonds under a plan which will provide for the issuance of additional bonds to pay for improvements and extensions to its system now believed necessary.

(4) On the basis of present studies it appears that the most economical method of raising additional moneys will be through the issuance of additional bonds at a small discount. In addition, it may prove necessary that the Authority employ investment bankers to arrange exchanges of the Authority's outstanding bonds for its proposed refunding bonds.

(5) In order to effect the plan the Authority must use as the statutory vehicle Sections 59-651 to 59-682, inclusive, of the 1962 Code. Questions have arisen as to whether the provision of Section 59-667, which requires that bonds issued pursuant to the statute be sold at not less than par, would prevent the consummation of the Authority's plan. Questions may also arise as to whether the proceeds of refunding bonds, which shall be sold to raise moneys for improvements, may be used to pay costs incurred in effecting exchanges and whether other bonds or certificates of indebtedness may be issued, junior in lien, to fund past due interest.

(6) The General Assembly is minded to empower the Authority to take such steps as may be necessary to consummate the issuance of the proposed refunding and improvement bonds of the Authority, and to that end has determined to authorize any plan by which the Authority will issue refunding and improvement bonds to such extent as shall be necessary to provide bonds to be exchanged for its now outstanding bonds, and to provide for a sale of a portion of such bonds to meet the cost of improvements and extensions to the system, and the cost of implementing the plan of exchange, and that such plan may be effected notwithstanding it requires the employment of investment bankers, or other individuals, to assist the

Authority in securing the exchange and that it may involve the sale of the bonds, issued pursuant to the aforesaid statute, at a price of less than par, and that a portion of the proceeds from the sale of bonds may be used for expenses incidental to the plan.

SECTION 2. Refunding bonds may be issued.—The General Assembly hereby approves and authorizes the Authority to issue, pursuant to Sections 59-651 to 59-682, inclusive, of the 1962 Code, such amount of refunding bonds as it may from time to time hereafter deem necessary in order to exchange such refunding bonds for those of the Authority now outstanding, and in order that it may from time to time issue such additional bonds as might prove necessary for improvements and extensions to the system of the Authority. Such bonds may be disposed of by the Authority on such terms as the Authority shall approve and at a discount, if the Authority shall find such a method to be to its advantage. The Authority shall be further expressly empowered to employ such persons or firms of investment bankers as it may deem desirable in effecting the exchange of its outstanding bonds, and to use the proceeds of any bonds that might be sold to pay for the services of such individuals or investment bankers. The Authority is further authorized to issue funding bonds or certificates of indebtedness to such extent as it may deem necessary to fund all arrears of interest. Such funding bonds or certificates of indebtedness shall have such claim to the revenues of the system as the Authority shall provide.

SECTION 3. Bonds declared valid.—All bonds of the Authority now outstanding and the bonds and certificates of indebtedness of the Authority to be hereafter issued pursuant to the authorization of this and other acts relating to the Authority are hereby declared to be valid and binding obligations of the Authority according to their respective tenor and effect. Such bonds and certificates of indebtedness shall be payable solely from the revenues derived from the system of the Authority and shall have such claim thereto as shall be prescribed in the proceedings of the Authority providing for their issuance.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R808, H2217)

No. 1189

**An Act To Extend The Open Season For The Hunting Of Quail
In Chesterfield County For The Year 1964 Only.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Quail season for Chesterfield County.—Notwithstanding any other provisions of law to the contrary, the open season for the hunting of quail in Chesterfield County shall be to and include March first for the year 1964 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R1215, H2649)

No. 1190

**An Act To Make Supplemental Appropriations For Chester-
field County For The Fiscal Year 1963-1964.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby appropriated from the General Fund of Chesterfield County the following :

Jail	\$ 2,000.00
Clerical Help for Auditor's Office	400.00
Clerical Help for Treasurer's Office	400.00
Maintenance of Sheriff's Radios	300.00
Purchase of photostat machine	11,500.00
<i>Provided</i> , this machine shall be purchased for the Office of the Clerk of Court by the County Board of Commissioners, upon the approval of a majority of the Legislative Delegation.	
Repair and Indexing of Plat Books in Clerk of Court's Office	1,000.00
to be employed and paid by the County Board of Commissioners upon the approval of a majority of the Legislative Delegation.	
County Board of Education	10,000.00
County Board of Education	180.00

Provided, that this appropriation shall be used to pay to each member of the County Board of Education an additional sum of \$5.00 for each monthly meeting attended by such members.

TOTAL\$ 25,780.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1338, H2579)

No. 1191

An Act To Provide For The Levy Of Taxes For Ordinary And Other County Purposes For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965; To Appropriate Monies For The Operation Of The County Government Of Chesterfield County During The Fiscal Year And To Further Regulate The Administration Of The County Government Of Chesterfield County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following appropriations are hereby made for the fiscal year July 1, 1964, to June 30, 1965, for the operation of the county government of Chesterfield County:

Item 1. Chesterfield County Highway Fund\$ 90,000.00

This fund shall be spent by the county board of commissioners for the construction, improvement and maintenance of county public roads and bridges; for the purchase, repair, replacement and maintenance of road building and maintenance machinery; for the operation of the county chain gang; for the purposes specified in this act and as set forth in the official budget of the board of commissioners; and for incidental purposes.

Total, Item 1\$ 90,000.00

Item 2. Administrative Department:

Clerk of Court, Salary	\$ 6,140.00
Deputy Clerk of Court	2,600.00
Clerk of Court, clerk hire	2,300.00
Supplies, Clerk of Court	4,000.00
Salary, Probate Judge	100.00
Clerical help, Probate Judge	2,100.00
<i>Provided</i> , this appropriation is on condition that the probate judge reimburse the county out of the fees received by him for the entire sum of two thousand one hundred dollars, to be paid to the county treasurer in monthly installments of one hundred seventy-five dollars each, which shall begin July 1, 1964, which shall be placed in the general fund of the county. This provision shall be applicable to a deputy probate judge, if such officer be appointed.	
Salary, County Auditor	2,100.00
Clerical assistance, County Auditor	5,000.00
Salary, County Treasurer	2,100.00
Clerical assistance, County Treasurer	5,000.00
<i>Provided</i> , that no full time clerk employed in the county treasurer's office or the county auditor's office shall receive less than \$2,300.00 annually.	
Extra clerical help, if needed for preparation of 1964 tax books, treasurer's and auditor's office, \$400.00 each	800.00
Tax Collector	3,000.00
Tax Collector, travel	1,000.00
One clerk to Tax Collector	2,400.00
Salary, County Board of Commissioners, three @ \$600.00 each	1,800.00
Travel—County Board of Commissioners, three @ \$900.00 each	2,700.00
Salary of clerk to County Board of Commissioners and Road Supervisor	4,000.00
Travel expenses for clerk to County Board	900.00
For assistant clerk hire	3,000.00
Salary, Coroner	720.00

Travel expense—County Coroner	360.00
County Service Officer	2,700.00
Travel expense—County Service Officer	1,200.00
Clerk, County Service Office	2,200.00
The State funds payable to Chesterfield County for the maintenance and services of the County Service Office shall be deposited in the county treasury to the credit of the general county fund.	
Janitor, Courthouse	2,080.00
County Board of Equalization	1,500.00
Vital statistics	300.00
Stenographer, County and Home Demonstration Office	1,440.00
For demonstration supplies and telephone	250.00
Boys' 4-H Club work	100.00
Girls' 4-H Club work	100.00
Negro 4-H Club work, Boys' and Girls'	200.00
Future Farmers of America	300.00
Salary of Negro Home Demonstration Agent ..	1,020.00
Negro Home Demonstration Agent—supplies ..	50.00
Negro Agricultural Agent and Negro Home Demonstration Agent—rent, equipment, office expenses and clerical help	2,175.00
<i>Provided</i> , this fund shall be spent upon the approval of the Negro Agricultural Agent and the Negro Home Demonstration Agent.	
<i>Provided</i> , further, that the appropriations for a Negro Home Demonstration Agent shall cease when such expense is taken over by the State and Federal Governments.	
County Agent, Home Demonstration Agent, and Assistant County Agents	1,400.00
<i>Provided</i> , that each agent and assistant agent must have at least five years' experience in extension work to qualify; and <i>provided</i> , further, that this fund shall be disbursed by the county agent and no agent shall receive less than \$300.00.	
Payment of rent for FHA Office	240.00
Master's Office—telephone and supplies	150.00
County Health Department	10,684.00

Water, fuel, lights and insurance and other incidentals for maintenance of public buildings ..	8,000.00
Printing, postage, stationery, office supplies and incidentals for county offices	9,500.00
To Clerk of Court for maintenance of Court-house grounds	450.00
Salary, County Attorney	1,000.00
<i>Provided</i> , that the county attorney shall be appointed by the county board of commissioners subject to the approval of a majority of the county legislative delegation.	
<i>Provided</i> , further, that the county attorney shall handle all uniform support cases which have formerly been handled by the circuit solicitor.	
County contribution to retirement county officials	9,500.00
Workmen's Compensation	2,500.00
Workmen's Compensation coverage for Chesterfield County school teachers and school employees, if so much be needed	1,800.00
<i>Provided</i> , that the school teachers and all school employees of Chesterfield County be provided with Workmen's Compensation coverage and that this coverage be placed with the State's Workmen's Compensation Fund. County contribution to Social Security of county employees ..	
	6,000.00
Total, Item 2	\$118,959.00

Item 3. Judicial Department:

Salaries of Magistrates:

Courthouse Township	\$ 1,500.00
Pageland Township	1,500.00
Cheraw Township	1,500.00
Alligator Township	1,200.00
Mt. Croghan Township	1,200.00
Jefferson Township	1,200.00
Cole Hill Township	1,200.00
Pee Dee Township	750.00
Steer Pen Township	750.00
Brock's Mill District	750.00

Travel and office supplies for magistrates @ \$50.00 each per month 6,000.00
 Per diem and mileage of jurors and witnesses, bailiffs, court crier and other court attaches 7,000.00
Provided, that the bailiffs and court crier shall be paid at the rate of fifteen dollars for each day of attendance on the court; *provided*, further, that the bailiffs and court crier and jurors shall be paid mileage both ways for each day of attendance on the court at the rate of seven cents per mile; *provided*, further, that magistrate court jurors in criminal cases shall be paid two dollars each, such payment to be made by the board of county commissioners on the certification of the magistrate and to be disbursed by the magistrate.

Total, Item 3\$ 24,550.00

Item 4. Law Enforcement:

Sheriff, general salary\$ 4,400.00
 Sheriff, travel expense 2,280.00
 Salary, seven rural deputies @ \$3,900.00 each 27,300.00
 Uniforms for seven deputy sheriffs and radio operator, to be approved by Sheriff 1,600.00
 Clerical assistants and radio operators for Sheriff's office 4,000.00
 Maintenance and operation of radios for Sheriff and deputy sheriffs and incidentals 1,800.00
 Jail expenses, including dieting of prisoners at \$1.50 per day and incidentals 9,000.00
 Cook for jail 800.00
 Post mortems, inquests and lunacies 1,000.00
 Officers' bond 1,800.00
 Magistrates' Constables:
 Pee Dee Township 480.00
 Steer Pen Township 480.00
 Brock's Mill Township 480.00
 Maintenance and operation of cars owned by county and used by Sheriff's Department and Tax Collector 12,000.00

Automobile insurance on automobiles of Sheriff's Department and transportation expense, other than automobile expense	1,200.00
Secretary to probation officer	1,200.00

Total, Item 4\$ 69,820.00

Item 5. Contributions and Charity:

Maintenance of indigents	\$ 6,000.00
Charity hospital fund	10,000.00

This fund shall be spent by the county board of commissioners, and shall be paid directly to the hospitals. Such aid shall be granted only to destitute persons upon a certificate from a reputable physician that such hospitalization is absolutely necessary. All applications to the county board of commissioners for benefits under the "hospital fund" herein provided shall be referred by the clerk of the board to the county welfare department, which shall make an immediate investigation and report its findings, conclusions and recommendations to the county commissioners. No application for hospital aid shall be approved unless and until it has been recommended by the director of the county welfare department; *provided*, that the clerk of the county board of county commissioners and the Administrator of the Chesterfield County Memorial Hospital may authorize such aid when the physician certifies that an immediate hospitalization is necessary for an operation or other sufficient medical reason, but not otherwise; *provided*, further, that the application of the patient, the recommendation of the director of the county welfare department and the action of the board of county commissioners must be attached to and made a part of the voucher for the payment of all grants of aid under such hospital fund. When an emergency application for aid from the hospital fund has been granted by the clerk, or the board of county commissioners, as herein

authorized, the certificate of the physician upon which the application was granted and the written authorization of the clerk must be attached to the warrant or voucher issued for payment of such aid. No authorization for hospital care shall be good for more than ten days unless reinvestigated and reapproved and the board of county commissioners shall have the authority to set maximums, both for per day and total care. The Treasurer of Chesterfield County is forbidden to pay any claim or voucher drawn against the hospital fund unless it strictly complies with the terms and conditions herein prescribed, and has such proofs thereunto annexed, and the voucher and proof shall be retained as a permanent record.

Physicians' fees and drugs	1,000.00
County tuberculosis health nurse, supplies and incidentals	964.00
Three National Guard Companies, \$1,000.00 each	3,000.00
Secretarial help, Soil Conservation Office	1,200.00
Secretarial help, F. H. A. Office	300.00
Chesterfield County Development Board	1,000.00
Chesterfield County Rescue Squad, Cheraw unit \$800.00, Chesterfield unit \$1,500.00	2,300.00

Total, Item 5\$ 25,764.00

Item 6. Chesterfield County Welfare Department:

Emergency relief	\$ 1,000.00
Emergency board for children	1,000.00
Office rent	1,200.00
Telephone and telegraph	300.00
Fire insurance premium on office equipment ..	45.00
Contingent fund	500.00

Total, Item 6\$ 4,045.00

Provided, the board of commissioners is directed and required to supply the necessary fuel, lights and water for the county welfare office and to

pay for the same out of the appropriation herein for water, fuel, lights, etc., for the maintenance of public buildings.

Item 7. General Contingent Fund\$ 15,000.00

Provided, that this amount, or so much thereof as is required, shall be expended to meet unforeseen emergencies and contingencies by the board of county commissioners; *provided*, further, that any claims, or items payable from this fund shall be paid only upon approval in writing of a majority of the county legislative delegation.

Total, Item 7\$ 15,000.00

Item 8. For annual county audit, if so much be necessary\$ 4,000.00

Provided, that the books and records of each school district shall be audited and the cost of such audit shall be paid for by the respective school district.

Total, Item 8\$ 4,000.00

Item 9. Reassessment of property for tax purposes:

County Tax Assessor\$ 5,000.00

Three Assistant County Tax Assessors @ \$4,-
600.00 each 13,800.00

One clerk 2,400.00

Mileage and supplies 3,000.00

Total, Item 9\$ 24,200.00

GRAND TOTAL\$376,338.00

Estimated Revenue:

Gasoline Tax\$118,000.00

Liquor Tax 30,000.00

Beer and Wine Tax 8,000.00

Income Tax 42,000.00

Insurance License Fee 16,000.00

Bank Tax 3,500.00

Delinquent Tax 6,000.00

Magistrates' Fines	40,000.00
Clerk of Court	25,000.00
County Service Officer	4,500.00
Board of Commissioners	4,000.00
Probate Judge	2,100.00
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Total Estimated Revenue	\$299,100.00
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Amount to be raised by taxation	\$ 77,238.00

SECTION 2. All appropriations made and provided herein shall lapse, cease and terminate at the end of the fiscal year for which they are made except that appropriations for the payment of bonds or notes or interest on bonds or notes shall remain effective until such bonds, notes or interest are paid.

SECTION 3. The county commissioners are hereby required to keep a separate account covering the various items of the appropriations act and not to exceed in expenditure or contract the amount herein provided for each item, and for any such excess allowed or permitted, such officers shall be held liable on their official bonds. The clerk of the county board of commissioners shall make monthly statements of expenditures and balances of the different items, both to the board and to each member of the Legislative Delegation from Chesterfield County. Any contract made in violation of this act shall not be a valid claim against Chesterfield County.

SECTION 4. All departments of the county government shall make requisition of the county board of commissioners for all stationery, books, blanks and supplies and the board shall purchase and provide so much thereof as in its judgment is necessary and proper, and the board shall not approve any account or issue its voucher for any supplies, etc., purchased or ordered by any office or officers of the county. Nothing contained in this section shall be construed to authorize the board of county commissioners to make any disbursements in excess of the appropriation herein made.

SECTION 5. All purchases in excess of four hundred dollars of motor vehicles, trucks, tractors, road building and maintenance machinery and equipment and parts, replacements and repairs therefor, and all commodities and supplies of any and every character for the use of the county, its departments, officers and agencies must be

purchased by the board of county commissioners, upon sealed competitive bids or proposals, after publication of the invitations for bids or proposals therefor in a newspaper in Chesterfield County. All bids or proposals for the purchase of road building machinery shall be advertised in one or more newspapers published in the City of Columbia, S. C.

In advertising for bids the board of county commissioners shall prescribe specifications to be met. All bids or proposals must provide that sealed competitive bids or proposals will be publicly received by the board of county commissioners at a specific hour, on the named day, and that such sealed bids or proposals shall be then and there publicly opened and published. In all instances the lowest bids or proposals meeting specifications must be accepted or all bids or proposals rejected. The board of county commissioners may, at its option and in lieu of advertising for sealed competitive bids, contract for the purchase of motor vehicles, trucks, tractors, road building and maintenance machinery and equipment, and parts, replacements therefor, through the Purchasing and Property Division of the State Budget and Control Board, or may buy surplus property from any agency of the State or Federal Government. The board of county commissioners is hereby authorized and empowered to contract by public bids or proposals, as herein provided, for the commodities and supplies required for the period of a fiscal year, or any part thereof. All of such bids or proposals with the printer's proof of the advertisement for the bids shall be preserved by the clerk to the board of county commissioners as a permanent record in the office of the county commissioners.

SECTION 6. The board of county commissioners may, in its discretion, waive the requirement that all claims be verified and, in lieu thereof, substitute an endorsement to be signed by the payee of the check issued on the claim whereby the payee certifies that the claim for which the check was issued was true and correct and has not been otherwise discharged.

SECTION 7. The county treasurer and clerk of court are required to file quarterly statements in duplicate with the county board of commissioners, which shall show the amount of fees collected by each of them. In addition the treasurer's report shall show the amount of cash on hand, the amount of cash in banks, the name of the banks in which deposited; *provided*, that no county warrant for salary

shall be issued to the clerk of court until such statement is filed as herein directed, and the provisions of this section shall apply to the county peace officers. *Provided*, further, that a copy of the treasurer's report shall be delivered by him to each member of the county legislative delegation and the chairman of the county sinking fund commission.

SECTION 8. All officers and employees of Chesterfield County are hereby expressly forbidden to contract to perform any work, or services, for the county, other than their regular employment, or to furnish any materials, or supplies, to the county, and any disbursement made in violation of the provisions of this section shall be unlawful, and any officer making any such contract, or disbursement, shall be liable to the county personally, and on his official bond, for and to the amount of any such contract or disbursement.

SECTION 9. The county auditor is directed to levy twelve mills tax for the Chesterfield County Board of Education, the funds derived from such tax to be used for the operation of the county board of education, for the insurance of school buildings, and for the purchase or rental of textbooks for the public schools of Chesterfield County.

SECTION 10. The county auditor is directed to levy such millage as may be necessary for the payment of principal and interest on bonds or notes of Chesterfield County and on bonds of subdivisions of Chesterfield County which have heretofore been assumed by the county.

SECTION 11. The county auditor shall have the power and authority to levy such millage as may be deemed necessary to meet the absolute needs of the county, and is hereby directed to levy ten mills for the operation of the county.

SECTION 12. The County Treasurer of Chesterfield County is hereby authorized and directed to mail to every taxpayer of Chesterfield County, on or before October first, a statement of the amount of the 1964 taxes of such taxpayer. The notice shall show the school district and township in which the property of the taxpayer is assessed.

Such statement shall include a notice that a penalty of one per cent will be added to the taxes on January 1, 1965, one per cent on

February 1, 1965, and an additional one per cent on March 1, 1965, and an additional four per cent on April 1, 1965. The cost of mailing the notices shall be paid out of the ordinary county fund on the approval of the board of county commissioners. A second notice shall be mailed on or before April tenth.

An additional statement shall be included showing all levies in the taxpayer's particular school district.

SECTION 13. With the written approval of a majority of the legislative delegation, the Treasurer of Chesterfield County is authorized to borrow money from the South Carolina Division of Sinking Funds and Property in anticipation of the collection of county property taxes. Such loans shall be evidenced by notes signed by the treasurer and taxes shall be pledged for the repayment of the same.

SECTION 14. The board of county commissioners is hereby authorized and empowered to pay out of the county contingent fund all necessary costs and expenses incurred by the tax collector or the forfeited land commission in connection with the seizure, sale and disposition of real or personal property, sold under delinquent tax execution.

SECTION 15. No county gasoline or oil shall be sold to any person or used in any privately-owned vehicle, except as otherwise herein provided.

SECTION 16. The board of county commissioners is authorized, on the filing with it of an official certificate of the county auditor that any taxpayer is entitled to a refund of taxes erroneously paid, to issue its voucher for the refund of the tax so erroneously paid. The certificate of the auditor must be annexed to the voucher for the payment of the claim. Such tax refund shall be paid out of the general county fund.

SECTION 17. The deputy sheriff, magistrates and constables and county game wardens, the State constables, the State Highway patrolmen, and all other State or county peace officers are hereby directed and required to report to the Sheriff of Chesterfield County, on or before the tenth day of the following month, a schedule or statement of all cases made by each of them before the Magistrate of Chesterfield County. The reports shall show the judgment and sentence imposed by the magistrate in each of such cases so reported

and the money fines paid or collected from the defendant in each case. The sheriff and the treasurer shall compare such reports of law enforcement officers with the reports of the county magistrates to be filed monthly, and if there are any material or substantial discrepancies with respect to the monies collected and paid to the treasurer by the magistrates and the amounts of fines reported by such law enforcement officers, the county treasurer shall refer the matter to the solicitor for investigation. The county treasurer is directed and required to refuse the payment of any voucher for the salary of any county magistrate or law enforcement officer until the reports have been made to the sheriff and the treasurer.

SECTION 18. The board of county commissioners is hereby directed and required to keep a separate itemized account of all expenditures and disbursements made for each office and department of the county government, and shall set out the same in the monthly report required by the provisions of Section 3 of this act.

SECTION 19. The board of trustees of each school district of Chesterfield County shall, within thirty days after the approval of the official budget of such school district by the county board of education, have the budget published at least once in a newspaper published in the school district, or in a newspaper published at the county seat, if there be no newspaper published in the particular school district; *provided*, that the county board of education shall adopt, prescribe and require the use of a uniform, standard and comprehensive form of school budget.

SECTION 20. The county board of commissioners shall annually make written recommendations to the county legislative delegation as to the amount of fidelity bonds and insurance coverage necessary to adequately protect the county.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R930, H2388)

No. 1192**An Act To Authorize The Board Of Trustees Of School District No. 2 Of Clarendon County To Borrow Sixty Thousand Dollars And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. School District 2 may borrow money.—The Board of Trustees of School District No. 2 of Clarendon County is hereby authorized to borrow from the Bank of Clarendon, Manning, South Carolina, a sum not to exceed sixty thousand dollars and to execute and deliver to the Bank of Clarendon notes of the school district to provide for the repayment of the loan over a period not to exceed five years and at an interest rate not to exceed two and one-half per cent. Five mills of the present tax on the taxable property in School District No. 2 shall be levied and collected for the retirement of this obligation.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R1251, S861)

No. 1193**An Act Directing The South Carolina State Highway Department To Remove A Certain Road In Clarendon County From Its System And To Close The Road To Public Use.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Road in Clarendon County to be removed from Highway System.—The South Carolina State Highway Department shall remove from its system Road 14-341 in Clarendon County.

SECTION 2. Road closed.—Road 14-341 is closed for public use.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1322, H2551)

No. 1194

An Act To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For Clarendon County For The Year Beginning July 1, 1964; To Provide For The Expenditure Of Such Taxes And Of Other County Revenues Collected During The Fiscal Year Ending June 30, 1965; To Authorize The Officers Of The County To Borrow Money In Anticipation Of Collection Of County And School District Taxes For The Year 1964 And Previous Years; To Provide For The Transfer Of Unexpended Monies To The General Fund; And Otherwise Relating To The Affairs Of The County And The School Districts Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There shall be a levy upon the taxable property of Clarendon County for the purposes hereinafter specified as follows:

School District No. 1: A levy of forty-eight mills on all taxable property in the district.

School District No. 2: A levy of fifty-three mills tax on all taxable property in the district.

Provided, that of this levy five mills shall be reserved for the retirement of a loan by the Bank of Clarendon.

School District No. 3: A levy of seventy-nine mills tax on all taxable property in the district; *provided*, that of this levy twelve mills shall be to retire loan, Bank of Clarendon and two mills shall be to retire Old District No. 20 bonds.

School District No. S-2: A levy of eight mills on all taxable property in the district.

Three mills of the tax hereinabove levied in each district shall be reserved by the Treasurer of Clarendon County for the retirement of the obligations of the Clarendon Memorial Hospital made pursuant to Part II of Act No. 517 of 1961. This levy shall be discontinued when this obligation has been paid in full.

(a) Auditor's Office:

Auditor\$ 1,300.00

Provided, this amount shall be varied if necessary, to provide a total salary to the Auditor from state and county of \$5,250.00.

Clerk to Auditor 2,520.00

Extra Clerical Help on direct claim by extra clerk and approved by Auditor	400.00
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Total	\$ 4,220.00
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(b) Clerk of Court's Office and Probate Judge:

Clerk of Court	\$ 5,250.00
Services as Probate Judge	900.00
Deputy Clerk of Court and Probate Judge	2,650.00
Clerk	2,520.00
Clerk	2,520.00
Clerk—Probate Judge's Office	2,520.00
Record Books, Repairs, Supplies, Furniture, Equipment and Lighting	500.00

Total	\$ 16,860.00
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(c) Coroner's Office:

Coroner	\$ 1,750.00
Coroner, for telephone	60.00
Travel Allowance	120.00
Coroner's Jurors, \$2.00 each to be paid out on warrants of the Coroner	400.00
Expenses of Post Mortems, Inquests and Lunacy	500.00

Total	\$ 2,830.00
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(d) Sheriff's Office:

Sheriff	\$ 5,250.00
Sheriff, Travel Allowance	900.00
Sheriff, Telephone	60.00
Clerk	2,520.00
Chief Deputy Sheriff	4,725.00
Chief Deputy Sheriff, travel	1,100.00
Chief Deputy Sheriff, telephone	60.00
Second Deputy Sheriff	4,725.00
Second Deputy Sheriff, travel	900.00
Second Deputy Sheriff, telephone	60.00
Third Deputy Sheriff	4,725.00
Third Deputy Sheriff, travel	900.00
Third Deputy Sheriff, telephone	60.00
Travel outside county, to be paid on warrants signed by Sheriff for meals and lodging only ...	200.00

Fingerprint Supplies, Gun and Ammunition and other necessary police supplies	250.00
Secret Service Fund	200.00
Uniforms, to be expended on claims with invoices attached, \$100.00 each	400.00
Automobiles and Communication System, Maintenance, Equipment and Repairs	800.00
Jailor	1,260.00
Jail Expenses and Supplies, including dieting of prisoners at \$1.00 per day	4,000.00
Total	\$ 33,095.00

(e) Superintendent of Education's Office:

School District No. 1—for operation and maintenance of public school system for nine months, if so much be necessary	\$ 40,000.00
School District No. 2—for operation and maintenance of public school system for nine months, if so much be necessary	83,500.00
School District No. 3—for operation and maintenance of public school system for nine months, if so much be necessary	33,500.00
Superintendent of Education (to be paid to County Board of Education)	200.00
<i>Provided</i> , this amount shall be varied if necessary to provide a total salary to the Superintendent of Education, from State and county of \$5,250.00.	
Travel Allowance	900.00
Clerk to Board of Education	2,520.00
County Attendance Teacher, travel	1,080.00
School Lunch Supervisor, travel	420.00
Attendance Teacher for books and supplies for needy children	480.00
Distributive Education:	
Travel	655.00
Total	\$163,255.00

(f) Supervisor's Office:

Supervisor	5,250.00
Clerk	2,520.00

Roads, bridges and convicts	51,000.00
Salary adjustment for county employees not specifically provided for herein	1,500.00
Transportation and storage of Surplus Commodities, if so much be necessary, to be paid on vouchers signed by School Lunch Supervisor	1,500.00
Repairs to Machinery	6,000.00
Expenses and supplies for making concrete pipe	3,000.00
Total	\$ 70,770.00
(g) Tax Collector's Office:	
Tax Collector	5,250.00
Travel Allowance	900.00
Clerk	2,520.00
Total	\$ 8,670.00
(h) Treasurer's Office:	
Treasurer	1,300.00
<i>Provided, this amount shall be varied if necessary to provide a total salary to the Treasurer from State and County of \$5,250.00.</i>	
Assistant to the Treasurer	2,650.00
Extra Clerical Help on direct claim by extra clerk and approved by Treasurer	340.00
Total	\$ 4,290.00
(i) Magistrates:	
Magistrate—Manning	\$ 2,800.00
Magistrate—Summerton	2,500.00
Rent and Telephone	144.00
Magistrate—Salem	2,075.00
Rent and Telephone	144.00
Magistrate—Paxville	1,465.00
Rent and Telephone	144.00
Magistrates' Jurors in criminal cases only \$2.00 per day and stenographer for trials to be expended on warrants of the magistrates	100.00
(The above salaries in all of the above sections shall be in lieu of all fees and commissions pro-	

vided for county officers, except those provided by law for magistrates in civil cases.)

Total	\$ 9,372.00
(j) Courthouse:	
Public buildings, water, light, telephones including telephone in Supervisor's residence, also including insurance on courthouse and jail	\$ 9,000.00
Printing, postage and stationery	4,000.00
Bond premiums	530.00
Workmen's Compensation Insurance	2,000.00
S. C. Retirement—County Officers	4,500.00
Social Security	3,800.00
Jurors and Witnesses	4,000.00
<i>Provided</i> , Jurors shall be paid \$6.00 per day.	
Janitor	1,515.00
Courthouse, Jail, Hospital and Health Center grounds, \$100.00 each to be paid on itemized vouchers certifying expenditures as having been made	400.00
S. C. Police Officers' Retirement	1,900.00
Total	\$ 31,645.00
(k) County Health and Welfare Work:	
Health Department, if so much be necessary ..	\$ 6,443.00
Vital Statistics	350.00
T. B. Association Emergency Services	300.00
Chest Clinic	720.00
County Welfare Department:	
Charity Hospitalization	10,000.00
Emergency Fund	1,000.00
Travel, Child Welfare Worker	780.00
Charity Certification	1,260.00
Drugs for T. B. Patients	500.00
Total	\$ 21,353.00
(l) County Boards:	
Clarendon Memorial Hospital Board	\$ 600.00
County Commissioners, two	720.00
Board of Education (per diem)	720.00

Board of Assessors, nine	1,800.00
Board of County Welfare (per diem) \$10.00 per meeting	360.00
County Attorney	200.00
Total	\$ 4,400.00
(m) Farm and Home Demonstration Agent:	
Office Expense—County Agent	\$ 200.00
County Agent, Salary Supplement	1,300.00
Associate County Agent—Salary Supplement ..	500.00
Assistant County Agent—Salary Supplement ..	500.00
Clerk, County Agent—Salary	660.00
Home Demonstration Agent, Salary Supplement ..	360.00
Assistant Home Demonstration Agent, Salary Supplement	360.00
County Short Course, Home Demonstration ...	50.00
Clerk, Part-time, Home Demonstration	600.00
Demonstration Materials, Home Demonstration Agent	50.00
Boys' 4-H Club Work	200.00
Girls' 4-H Club Work and Women's Work ..	200.00
Negro Boys' 4-H Club Work	100.00
Negro Girls' 4-H Club Work and Supplies ..	150.00
Negro Home Demonstration Agent—	
Part Salary	1,328.00
Office Expenses, Negro Agents	25.00
Clerical Help, Negro Agricultural and Negro Home Agents	600.00
Negro Home Agent Demonstration Supplies ..	50.00
Total	\$ 7,233.00
(n) Miscellaneous:	
Miscellaneous Contingent Fund	\$ 3,500.00
Manning Public Library, Countywide use....	1,500.00
National Guard Co., Maintenance Fund	1,200.00
Circuit Judge, office expense	500.00
Game Wardens, Travel, 5 @ \$468.00 each...	2,340.00
Patrolman, Telephone, \$6.00 per month each patrolman residing in Clarendon County	442.00
Soil Conservation	1,000.00

To be spent on projects recommended by Clarendon Soil Conservation District and approved by the Delegation.

Forest Fire Warden	1,575.00
County Service Officer, salary	321.00

Total	\$ 12,378.00
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GRAND TOTAL	\$390,371.00
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Less Estimated Revenue other than Property Taxes:

Income Tax	\$ 43,000.00
Gasoline Tax	88,000.00
Alcohol Liquor Tax	27,000.00
Beer and Wine Tax	7,000.00
Bank Tax	2,100.00
Insurance Licenses	12,000.00
Property and Road Tax	250,000.00
Fines, Licenses and Fees:	
Auditor	125.00
Clerk of Court	15,000.00
Tax Collector	8,300.00
Sheriff	1,200.00
Magistrates	36,000.00
Miscellaneous	10,000.00

Total	\$499,725.00
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Excess of Revenue over Appropriations	\$109,354.00
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SECTION 2. All moneys which may hereafter come into the hands of the treasurer whether the same be from the tax levied herein or from other sources shall be deposited in the general fund of the county for the payment of the sums appropriated herein; *provided*, that the tax levied in School Districts No. 2 and No. 3 for the retirement of debts or bonds shall be kept in a separate fund.

SECTION 3. Expenditures from Item (k), Charity Hospitalization Appropriations, shall be made by the county treasurer upon orders or warrants in such forms as may be prescribed by him issued and signed in behalf of the county board of public welfare, for charity hospitalization and contributions toward the funeral expenses of

such needy residents of the county whose financial circumstances and the ability of whose relatives to pay the same have been fully investigated and determined by the board of public welfare.

SECTION 4. All appropriations herein made are subject to the right and authority of the Clarendon County Delegation to change, alter, increase or deduct therefrom at any time without notice, when in its judgment such change, alteration, increase or deduction is necessary for the best interest of the county or to conform with the revenue expected during the life of this act. This act is intended and is construed to make appropriations for the operation and activities of Clarendon County for the period beginning July 1, 1964, and ending June 30, 1965.

Balances from appropriations in former years, unexpended on August 1, 1964, shall terminate and end as of that date. The supervisor shall not spend or contract to spend in excess of any amount appropriated for any item, and he shall keep accurate records and books of account of all expenditures and contracts for expenditures in accordance with the classification and items as they appear in this act.

SECTION 5. The County Treasurer of Clarendon County, upon the unanimous written request of the school trustees of any school district in the county, and approved by the Clarendon County Legislative Delegation, is hereby authorized and empowered, in anticipation of taxes for the year 1964-65 and also in anticipation of the collection of uncollected taxes for prior years, to borrow for ordinary school purposes in such school district an amount not exceeding eighty per cent of the amount that will be raised by the tax levy for the year 1964-65 and the amount due on account of uncollected taxes, at a rate of interest not to exceed four per cent, and issue the promissory note or other obligation of the county therefor, and as security for the payment of the loan or loans to pledge the taxes to be collected for each school district for the year; *provided*, that the proceeds arising from the authority herein given shall be used solely for the payment of ordinary school expenses in keeping schools open in the respective school districts in the county until the schools can realize from the collection of taxes.

SECTION 6. No county officer charged with disbursing the funds herein provided shall expend or contract to spend under any general item any sum greater than the amount for each general item being

appropriated, without the written consent of the Clarendon County Legislative Delegation. Any violation of the provisions herein is hereby declared a malfeasance in office and such officer shall be subject to removal by the Governor upon the recommendation of the delegation. He shall be liable on his official bond for all such sums expended or contracted to be spent in excess of the appropriation without first getting the written consent of the delegation as hereinabove provided.

SECTION 7. All purchases of property or supplies of any kind ordinarily purchased within the county, for the use of the county of the value of two hundred dollars or more, shall be made only after ten days' notice inviting bids, the notice being posted on the bulletin board in front of the courthouse door, and all bids received pursuant to such notice shall be considered and acted upon by the board of county commissioners in open meeting. All printing, postage and stationery shall be first approved by the county board of commissioners before purchases or obligations are made.

SECTION 8. The county treasurer is hereby charged with the additional duty of keeping a record of all disbursements in accordance with the classification and items of the appropriations herein made; and the county supervisor shall enter upon each check or warrant drawn by him the name of the fund or appropriation against which it is drawn and by such entry the treasurer shall charge the expenditure upon his records.

SECTION 9. The county treasurer shall set up and keep sufficient books and records, in addition to such now kept or required by law, to fully comply with the foregoing section; and he shall refuse payment of any check or warrant in excess of the appropriation against which it is drawn; and not later than the tenth day of each calendar month thereafter he shall prepare a statement of the total amount paid out upon the various appropriation items, except salaries and other fixed lump sum appropriations, copies of which statement he shall deliver or mail to the supervisor, each member of the county board of commissioners and to each member of the county legislative delegation, and such statement shall include a statement of the cash balance of ordinary county funds in hand and the amounts invested stated separately.

SECTION 10. In the event that any appropriation item is exhausted before the end of the fiscal year covered by this act, and in the opinion

of the county board or county legislative delegation, additional funds are necessary for such purposes, the necessity and the grounds therefor may be presented to the county legislative delegation and the members thereof may authorize additional expenditures, and the written direction of said delegation will authorize the county treasurer to pay such excess amounts out of any available funds in his hand.

SECTION 11. Whenever it appears to the county board that a purchaser at a tax sale received nothing for his bid, because of double entries or other errors in the county records, it may refund the amount paid on account of such bids by approving a claim therefor against the county which may be paid from collections from forfeited lands or from the appropriation herein for contingent expenses, but nothing herein shall be construed as a warrant or representation by the county of the validity of any title acquired at tax sale now or hereafter.

SECTION 12. An audit of the office and records or any part thereof of the county may be had at any time in the fiscal year 1964-65 by the county legislative delegation and the expenses therefor paid on their written order to the supervisor and treasurer from any available funds in the hands of the latter.

SECTION 13. The auditor and treasurer of the county shall complete the necessary work in their respective offices in order to open the treasurer's books for the collection of the 1964 taxes on September 1, 1964, and the collection of the taxes shall begin on that date.

SECTION 14. No person, firm or corporation (except recipients from charity appropriation and except witnesses and jurors paid by the county) shall be paid any monies herein appropriated unless he or it shall first pay in full any and all outstanding tax executions against him or it or his or its property; *provided*, that such tax execution may be in monthly installments satisfactory to the tax collector. The board of county commissioners shall be responsible upon their respective official bonds for any violation hereof as for any other failure in the performance of their duties.

SECTION 15. The Towns of Manning, Summerton, Turbeville and Paxville may use the county jail for the confinement of their prisoners but shall be required to pay to the county the sum of one dollar per prisoner per day, which sum shall be remitted to the county board of commissioners monthly by the Towns of Manning, Summerton, Turbeville and Paxville, together with the statement of the jailor of the names of the prisoners and the days each was confined.

SECTION 16. The county board of education shall appoint a qualified auditor annually for each of the school districts in Clarendon County, which audit shall be filed with the clerk of court. The trustees of each district shall make an agreement with the auditor so appointed as to the cost prior to commencement of the work and should they fail to agree then the county shall fix his compensation and in this event the county delegation may provide by written order for the payment of the same.

SECTION 17. All appropriations herein for the operation of the public school system shall cease and become inoperative for the time that any pupil or pupils shall by order of any court attend a school other than that which he or she is now attending or may be assigned by local board of trustees or other governing body of such school. This provision shall not in any way affect the operation of any school other than the schools affected by such court order.

SECTION 18. The forest fire warden provided herein shall be appointed by the Governor upon the written recommendation of a majority of the Clarendon County Forestry Board and approved by the Delegation, and shall discharge such duties as said board shall impose upon him from October fifteenth each year to the following March fifteenth. The appointment hereunder shall be for a term of two years. The forest fire warden provided for herein may be removed by the Governor upon the request of a majority of the Clarendon County Forestry Board and concurrence of the delegation to that effect. The forest fire warden shall have the same power as the deputy sheriffs.

SECTION 19. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1286, S875)

No. 1195

An Act To Create A Committee To Study The Feasibility Of Establishing A Countywide Fire Protection And Warning System For Colleton County And To Authorize An Expenditure From County Funds For Certain Expenses Of The Committee.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Fire Protection and Warning System Study Committee created for Colleton County.—There is hereby created the Fire Protection and Warning System Study Committee for Colleton County which shall consist of five members who shall be citizens of the county and who shall be appointed by the Governor upon the recommendation of the county legislative delegation.

The committee shall meet as soon as practicable and shall organize itself by electing one of its members as chairman and such other officers as may be considered necessary. Thereafter, the committee shall meet upon the call of the chairman or a majority of the members.

SECTION 2. Duties.—The committee shall make a thorough study of the fire hazards in the county and the need for establishing a fire protection and warning system to serve the entire county. The committee shall make a complete report to the legislative delegation as soon as practicable, but no later than January 1, 1965. The report shall contain such facts as may be established with such recommendations in the premises as the committee may deem proper.

SECTION 3. Compensation — employ personnel — expenditures.—The members of the committee shall receive no salary, but shall be entitled to such subsistence, per diem and mileage as authorized by law for members of commissions, committees and boards. The committee is authorized to employ such clerical assistance as may be necessary. The expenditures authorized by this section shall be paid from the general fund of the county upon warrants signed by the chairman of the committee, but in no case shall the total amount spent exceed five hundred dollars.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

An Act To Provide For The Levy Of Taxes For County And School Purposes For Colleton County For The Year Beginning January 1, 1964, And The Expenditure Thereof During The Fiscal Year July 1, 1964, To June 30, 1965, And Pertaining To The Fiscal Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax sufficient to pay appropriations hereinafter made for the fiscal year 1964-1965 is hereby levied upon all the taxable property in Colleton County for county and school purposes for the calendar year commencing January 1, 1964, for the amounts and purposes hereinafter set forth.

Item 1. (a) Roads, bridges, convicts' maintenance, gang, equipment and material, purchase of concrete pipe, repairs, parts, tires and machinery, and including salary increases for road employees . . .	\$ 78,785.00
(b) Repairs and maintenance on public landings . . .	1,250.00
(c) Matching funds for public landings	2,000.00
Total, Item 1	\$ 82,035.00
Item 2. Salaries, mileage and expenses :	
(a) Clerk of Court	\$ 5,460.00
Deputy Clerk of Court	3,150.00
Clerical assistance	2,835.00
Payments on duplicating machine	426.00
	11,871.00
(b) Sheriff	5,775.00
Deputies, three at \$4,095.00 each	12,285.00
Clerk to Sheriff or additional Deputy	2,835.00
Gasoline, oil and maintenance	4,200.00
Maintenance of said automobile shall be under the direction of the County Supervisor.	
Teletype paper for teletypewriter	100.00
Radio maintenance and service at jail	400.00
Care and maintenance of bloodhounds	200.00
Maintenance and operation of county boat	350.00
Uniforms	400.00
	26,545.00
(c) Treasurer (county's portion)	3,303.25
Clerk to Treasurer	2,835.00
Extra clerical help for Treasurer	2,835.00
	8,973.25

(d) Auditor, salary and travel (County's portion) .	3,303.25
Deputy Auditor	5,250.00
Clerk to Auditor	2,835.00
Extra clerical help to Auditor	2,700.00
Travel by Deputy Auditor	1,200.00
	<hr/>
	15,288.25
(e) Delinquent Tax Collector, salary	2,730.00
Delinquent Tax Collector, travel	1,800.00
Clerk to Delinquent Tax Collector	2,362.50
	<hr/>
	6,892.50
<i>Provided, the Delinquent Tax Collector shall also receive one dollar for each tax execution collected by him, payable by the County Treasurer from tax execution costs collected by the Delinquent Tax Collector.</i>	
(f) Coroner	1,460.70
Travel	600.00
	<hr/>
	2,060.70
(g) Supervisor	5,460.00
Expenses of Supervisor for travel	1,200.00
Contingent fund	2,000.00
Two County Commissioners at \$64.68 each ...	1,552.32
Travel for two County Commissioners	300.00
For Clerk to Supervisor	2,835.00
Extra Clerk, as needed, on a per diem basis but not to exceed	1,800.00
	<hr/>
	15,147.32
(h) Attorney for county	945.00
	<hr/>
	945.00
(i) Judge of Probate	4,095.00
Deputy Judge of Probate or Clerk	3,150.00
For use of Probate Judge in child placing work to give temporary relief pending children being permanently placed, to be disbursed on his claims	300.00

Purchase of typewriter	400.00
	<hr/>
	7,945.00
(j) Expert to grand jury	100.00
	<hr/>
	100.00
(k) Magistrates, seven at \$478.80 each	3,351.60
Expense accounts to be paid in four equal quar-	
terly installments, seven at \$180.00 each	1,260.00
One at Walterboro	2,543.10
One at Green Pond	945.00
Expense account to be paid in four equal quar-	
terly installments of \$36.00	144.00
	<hr/>
	8,243.70
(l) Constables, five at \$397.95	1,989.75
One at Walterboro	1,260.00
Extra clerical help and mileage	1,260.00
One at Warren Township	656.25
One at Canadys	540.75
One at Sheridan and Glover Townships	540.75
Expenses for Constables for conveying prisoners	
by the most practicable routes of travel at the	
rate of seven cents per mile each way, and no	
constructive mileage to be charged	375.00
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	6,622.50

Provided, that Constables shall receive for service of civil process from the party instituting an action mileage charges at the rate of seven cents per mile, which charges shall be retained by Constable and shall be collected by said Constable prior to service of process. *Provided*, further, that in no event shall the mileage charges be less than twenty-five cents.

(m) County Boards:	
Board of Equalization, to be expended on	
vouchers of County Auditor	828.00
Board of Tax Appeals	1,000.00
Board of Registration	1,434.30

	Development Board	7,500.00
		<hr/> 10,762.30
(n)	Janitors for all public buildings including library, to be employed, work assigned and salaries fixed by County Supervisor	5,600.00
		<hr/> 5,600.00
	Total, Item 2	\$126,996.52
Item 3.	Jail expenses, including dieting of prisoners, fuel, etc.	\$ 8,100.00
	Jailer, extra compensation to be paid in monthly installments, see mandatory proviso below	759.00
	<i>Provided</i> , the jailor may make contracts with municipalities in Colleton County to diet prisoners. <i>Provided</i> , further, that municipalities making such contracts must pay 25¢ per day per prisoner to the County Supervisor for County General Fund purposes for jail building maintenance, said sums to be accounted quarterly.	
	Total, Item 3	\$ 8,859.00
Item 4.	Court expenses, jurors and witnesses	\$ 6,000.00
	Civil and Criminal Court, Judge's salary	3,780.00
	Court Reporter, upon Court Order	630.00
	<i>Provided</i> , Grand and Petit Jurors and Bailiffs shall be paid five dollars per day for every day in attendance upon court and mileage as provided by law.	
	Total, Item 4	\$ 10,410.00
Item 5.	Emergency Assistance Fund, to be expended by County Department of Public Welfare under rules and regulations made by the County Board of Public Welfare	\$ 3,000.00
	To be paid by Supervisor as needed by proper voucher of Department of Public Welfare.	

Telephone, Department of Public Welfare	95.00
<i>Provided</i> , not exceeding fifty dollars shall be paid for each pauper funeral.	
Total, Item 5	\$ 3,095.00
Item 6. Post Mortems, inquests and lunacies	\$ 1,100.00
Total, Item 6	\$ 1,100.00
Item 7. Bond premiums for public officials	\$ 1,500.00
Total, Item 7	\$ 1,500.00
Item 8. Public buildings, including water, fuel, lights and insurance	\$ 9,000.00
For caretaker for courthouse and jail grounds . .	138.60
<i>Provided</i> , the Supervisor shall furnish fertilizer and labor for maintaining shrubbery and flowers.	
<i>Provided</i> , further, that the Supervisor may use the rents to be collected for the use of public buildings to supplement the funds herein appropriated for public buildings.	
Maintenance man	2,835.00
Total, Item 8	\$ 11,973.60
Item 9. (a) Printing, postage, books, stationery, including Magistrates' blanks, upon proper voucher . .	\$ 9,400.00
(b) Publication of Supervisor's reports	600.00
The Delinquent Tax Collector shall add to the cost of each tax sale the cost of publication and collect the same from each tax sale for the General Fund of the county.	
Total, Item 9	\$ 10,000.00
Item 10. Health:	
(a) County Health Department (including rabies control \$500.00), but not including Health Officer's salary	\$ 16,979.90
<i>Provided</i> , the above amount shall be expended under a budget prepared by the Health Department and approved by the delegation, and shall	

be paid in twelve equal monthly installments upon voucher of County Health Department.

- (b) Colleton T. B. Association, upon voucher signed by president and executive secretary of the association for T. B. patients 500.00

Total, Item 10 \$ 17,479.90

Item 11. Club work and Demonstration expenses:

- (a) Boys' 4-H Club activities, including camp and supplies for County Agent's office\$ 400.00
- (b) Women's and girl's short courses, Winthrop trip and prizes for women 300.00
- (c) Miscellaneous for Home Demonstration Agent's office 150.00
- (d) Supplement, Farm Agent's salary 528.00
- (e) Supplement, Associate Farm Agent's salary .. 300.00
- (f) Supplement, Farm Agent's stenographer, salary 396.00
- (g) Supplement, Home Agent's stenographer, salary 198.00
- (h) Future Farmers of America 50.00
- (i) For prizes, Livestock Show at Walterboro, to be expended by Colleton County FFA Federation 500.00
- (j) 4-H Livestock Show 250.00
- (k) For Negro Farm and Home Demonstration work and for 4-H activities, to be expended under direction of County Agent, including Livestock Show 2,842.00
- (l) Telephone and extension—Home Agent's Office 112.40
- (m) Telephone—Negro Agent's office 129.84

Total Item 11 \$ 6,156.24

Item 12. Workmen's Compensation, Retirement and Social Security:

- (a) Workmen's Compensation Insurance\$ 4,000.00
- (b) Employer's portion, retirement of county employees 6,700.00
- (c) Employer's portion, Social Security on county employees 6,800.00

Total, Item 12 \$ 17,500.00

Item 13. Tax refunds:

Blease Benton	\$ 3.00
Sarah B. Nettles	7.20
Gertrude G. Owens	23.04
Randall M. Beach	4.00
James C. Hughes	7.20
John E. Kinsey	24.00
Betty Jean M. Call	28.80
D. V. Crosby	7.20
J. K. Dodd, Sr.	62.32
Mrs. Ida Stanfield	5.76
George D. Shenan	3.00
George D. Shenan	12.24

Total, Item 13\$ 187.76

Item 14. Colleton County Memorial Library:

Chief Librarian Certified, County portion	\$ 3,250.00
Four Assistant Librarians	9,198.00
Junior Intern	200.00
Bookmobile expenses	1,000.00
Books	4,000.00
Supplies	500.00
Conference and workshop expenses	200.00

18,348.00

Less expected revenue:

Town of Walterboro	900.00
State of South Carolina	3,000.00

3,900.00

Total, Item 14\$ 14,448.00

Item 15. Miscellaneous:

(a) County Civil Defense to be expended upon voucher of Chairman, Colleton County Civil Defense	\$ 300.00
(b) Annual Audit	1,500.00
(c) Company Maintenance Fund, National Guard Unit	750.00

(d) Supplemental salary, Director of Public Welfare	396.00
(e) Historical Society	250.00
(f) Colleton Soil Conservation District—special services	1,000.00
(g) Bookmobile payment	2,160.00
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Total, Item 15	\$ 6,356.00
Item 16. Schools:	
County's portion of support of public schools ..	\$523,569.00
County teachers' supplement shall be 20% of the 1963-1964 State Aid Schedule.	
Less estimated State, Federal and miscellaneous aid	144,815.00
Less State aid for principals, supervisors, off-enrollment teachers and additional teachers (new law)	57,376.00
Less additional State aid	45,000.00
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Net appropriations to be raised by property tax for schools	\$276,378.00
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GRAND TOTAL	\$594,475.02
Less estimated revenue, other than from property taxes:	
Gasoline tax	\$115,000.00
Commutation road tax	4,000.00
Fines, licenses, fees	43,500.00
State insurance tax	15,000.00
Receipts from beer, wine and alcoholic beverages ..	30,000.00
Bank tax	2,500.00
Portion of income tax from State	32,000.00
Transfer of delinquent taxes	25,000.00
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Total estimated revenue	\$267,000.00
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Amount to be raised by property taxation for general purposes and schools	\$327,475.02

SECTION 2. The county treasurer, after applying all current cash revenues, is hereby authorized and empowered to pay from the special reserve or surplus fund any items of the appropriations made in Section 1 hereof which may be expended before the collection of taxes for the year 1964 and before other current revenues shall accrue in sufficient amount to pay such appropriations; but the county treasurer, when taxes are collected and current revenues are received sufficient for such purposes, shall reimburse the special reserve or surplus fund for any monies expended therefrom for the purpose of paying such appropriations.

SECTION 3. The county auditor shall determine the amount of tax levy necessary to pay the appropriations hereinabove made and for debt services and shall use same in preparing the tax books for Colleton County.

All provisions of law requiring monies derived from the collection of delinquent taxes to be paid into the Special Reserve Fund of the county are hereby suspended insofar as they relate to the funds to be derived from the collection of delinquent taxes for the tax year of 1963, and the county treasurer shall apply to the appropriations provided for in this act all delinquent taxes to be collected for the tax year 1963 as they are received by the County Treasurer. This provision shall apply only to the delinquent taxes for the year 1963, and hereafter all provisions of law pertaining to the disposition of monies obtained from the collection of delinquent taxes shall apply.

SECTION 4. If any of the items, or portions thereof, for which funds are herein appropriated should be assumed by the State and appropriations therefor be made by the State, or if the same shall become available in any other manner, then the amounts for such purposes herein appropriated shall be paid to the special reserve fund in the amount herein appropriated if the State appropriations or other available funds be sufficient for that amount, and, if the State appropriations or other available funds should not be sufficient, then only so much of the funds herein appropriated as may be necessary shall be used with the balance to be paid to the special reserve fund.

SECTION 5. All funds received by the county from whatever source realized above the amount necessary to pay the appropriation hereinabove made, all unused amounts of appropriations for previous fiscal years and the proceeds of all delinquent tax collections for

prior years not otherwise pledged shall be transferred by the treasurer to the special reserve fund as now provided by law.

SECTION 6. The county supervisor is authorized and directed to call to his assistance in maintaining the courthouse and other public grounds the Campbell Ashley Garden Club, and to furnish plants, fertilizer and labor for the beautification of the grounds.

SECTION 7. The county superintendent of education shall, no later than the first day of August of each year, furnish to the county treasurer and to members of the county legislative delegation an itemized statement of receipts and disbursements, including salaries and all purchases, made by the county department of education, including the two areas of administration for the previous fiscal year; and he also, on or before the first day of February of each year, shall furnish to said parties a like statement for the first six months of the then current fiscal year.

SECTION 8. The county treasurer shall retain to the credit of the general funds all fine monies received, except the amount necessary to pay the counties (employers) portion for the county peace officers to be members of the South Carolina retirement system.

SECTION 9. The county supervisor is hereby authorized to grant up to ten days annual leave with pay to county employees and up to ten days annual sick leave with pay provided the employee is under a doctor's care, such sick leave to be cumulative but not to exceed a total of twenty days.

SECTION 10. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R775, H2044)

No. 1197

**An Act Extending The Season For Hunting Quail And Rabbits
In Darlington County For The Year 1964.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Hunting season for quail and rabbits in Darlington County.—Notwithstanding the provisions of Section 28-336 of

the 1962 Code, the season for hunting quail and rabbits in Darlington County is extended to March first for the year 1964 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R1029, H2489)

No. 1198

An Act To Authorize The Treasurer Of Darlington County To Borrow Not To Exceed The Sum Of Thirty Thousand Dollars For The Purpose Of Completing The Darlington County Share Of The Florence-Darlington County Technical Educational Center; And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Darlington County may borrow money.—The Treasurer of Darlington County is authorized to borrow not to exceed the sum of thirty thousand dollars for the purpose of completing the Darlington County share of the Florence-Darlington Technical Educational Center. The money shall be borrowed from a bank situated in Darlington County. The treasurer shall contact all banks of the county and shall borrow the money from the bank offering the lowest rate of interest.

SECTION 2. Execution and terms of note.—The loan shall be evidenced by notes executed by the treasurer at the lowest rate of interest obtainable from any bank in the county and shall be payable not later than six years from date. The notes shall be payable at such place as the treasurer and lender shall decide. Each note shall bear a certificate from the county attorney as to its validity.

SECTION 3. Payment.—In order to provide for the payment of the loan and interest thereon, there is hereby levied a tax upon all the taxable property in Darlington County, sufficient to pay the annual installments, with interest, as they become due. The auditor shall levy and the treasurer shall collect the tax authorized herein.

SECTION 4. Use of excess money.—Any amount of the original loan in excess of needs shall be retained by the county treasurer and shall be applied to pay the interest and principal of the notes as they become due.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1151, H2606)

No. 1199

An Act To Appropriate A Sum Of Money For Educational Purposes In Darlington County For The Fiscal Year 1964-65; To Provide For The Expenditure Of The Sum And Other Funds; To Provide For The Levy Of A Tax Sufficient To Pay The Sum Appropriated Herein; And To Require The Submission Of A Budget By The Board Of Trustees Of Darlington County School District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The sum of twenty-eight thousand two hundred eight dollars and fifty cents is hereby appropriated from the general fund of Darlington County for educational purposes for the county fiscal year 1964-65.

The sum shall be expended for the following purposes:

Item 1. Travel Expenses, County Superintendent of Education	\$ 700.00
Item 2. Bookkeeper & Secretary	3,300.00
Item 3. Stenographer	3,150.00
Item 4. Stenographer	3,000.00
Item 5. Office Supplies, Equipment and Telephones	3,000.00
Item 6. Travel for Visiting Teacher	700.00
Item 7. Salary, Superintendent of Education	5,488.50
Item 8. Board of Education, 7 members @ \$25.00 each per month	2,100.00
Item 9. Board of Trustees, 9 members @ \$180.00 per year and 1 Secretary \$250.00 per year, Stamps, etc. \$100.00	1,970.00
Item 10. School Lunch Office—Trucking Produce	1,200.00
School Lunch Secretary	600.00
Item 11. Audit	3,000.00
Total	\$ 28,208.50

The auditor shall levy, and the treasurer shall collect, a tax on all taxable property of the county sufficient to pay the appropriation provided for herein.

SECTION 2. The Board of Trustees of Darlington County School District shall, before July of 1964, file with the county board of education a proposed budget for each school in the county for the 1964-65 fiscal year. The budget shall itemize proposed expenditures and propose the necessary current levy to cover these expenditures. The county board of education shall examine all budgets and its approval shall constitute the authority and direction to the county auditor to levy the tax provided for in Section 1.

SECTION 3. This act is supplementary to the general appropriations act of Darlington County which will be in effect for the 1964-65 fiscal year and the permanent school levies for Darlington County, and shall in no respect be considered as a repeal of them or any part thereof.

SECTION 4. The funds herein appropriated shall be expended by the county treasurer in the usual way, but upon request of the superintendent of education, or the chairman of the county board of education.

SECTION 5. The county board of education may supplement salaries or expenses of the superintendent or other office employees out of any funds in their hands that can legally be expended for such purposes.

SECTION 6. This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

An Act To Make Supplemental Appropriations For Technical Education Purposes For Darlington County's Share Of The Operating Budget For The Florence-Darlington Technical Center For The Fiscal Year 1963-1964; To Provide For The Expenditures Thereof; And To Provide For The Levy Of A Sufficient Tax To Supply The Sum Appropriated Herein.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The auditor shall levy and the treasurer shall collect a tax on all taxable property of Darlington County sufficient to pay the appropriation provided herein.

SECTION 2. The Florence-Darlington Technical Education Commission shall file with the county board of education an itemized statement of the operating expenses of the Florence-Darlington Technical Education Center for the fiscal year ending June 30, 1964, prior to submitting a claim for the funds provided in this act. The county board shall examine the itemized statement and its approval shall constitute the authority and direction to the county auditor to levy the tax provided for in Section 1 upon all taxable property in Darlington County for the fiscal year 1964-1965 only, sufficient to provide the funds required by the approved budget.

SECTION 3. The funds herein provided shall be expended by the county treasurer upon the request of the Florence-Darlington Technical Education Commission through the office of the superintendent of education.

SECTION 4. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1287, S879)

No. 1201

An Act To Appropriate A Sum Of Money For Technical Education Purposes For Darlington County's Share Of The Operating Budget Of The Florence-Darlington Technical Education Center For The Fiscal Year 1964-1965; To Provide For The Expenditures Thereof; And To Provide For The Levy Of A Sufficient Tax To Pay The Sum Appropriated Herein.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The auditor shall levy and the treasurer shall collect a tax on all taxable property of Darlington County sufficient to pay the appropriation provided herein.

SECTION 2. The Florence-Darlington Technical Education Commission shall before June 30, 1964, file with the county board of

education a proposed budget for the operating of the Florence-Darlington Technical Education Center for the fiscal year 1964-1965. The budget shall itemize the proposed expenditures for the fiscal year. The county board of education shall examine this budget and its approval shall constitute the authority and direction to the county auditor to levy the tax provided for in Section 1, sufficient to provide the funds required by the approved budget.

SECTION 3. The funds herein provided shall be expended by the county treasurer upon the request of the Florence-Darlington Technical Education Commission through the office of the superintendent of education.

SECTION 4. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R708, H1998)

No. 1202

An Act To Authorize The Board Of Trustees Of School District No. 2 In Dillon County And The Treasurer Of The County To Borrow Not Exceeding One Hundred Fifty Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dillon County School District 2 may borrow money.—The Board of Trustees of School District No. 2 in Dillon County and the Treasurer of Dillon County are authorized to borrow for school purposes not exceeding one hundred fifty thousand dollars from any bank in Dillon County. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the Board of Trustees and the Treasurer of Dillon County. The note or notes shall bear interest at a rate not exceeding two and three-fourths per cent per annum from the date thereof and shall be payable in one installment within twelve months.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Dillon County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the district sufficient to

retire the loan and interest thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated. *Provided*, that the auditor shall first apply those monies on hand and not pledged to payment of the loan.

The full faith, credit and taxing power of the school district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R709, H1999)

No. 1203

An Act To Authorize The Board Of Trustees Of School District No. 3 In Dillon County And The Treasurer Of The County To Borrow Not Exceeding One Hundred Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dillon County School District 3 may borrow money.—The Board of Trustees of School District No. 3 in Dillon County and the Treasurer of Dillon County are authorized to borrow for school purposes not exceeding one hundred thousand dollars from any bank in Dillon County. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the Board of Trustees and the Treasurer of Dillon County. The note or notes shall bear interest at a rate not exceeding two and three-fourths per cent per annum from the date thereof and shall be payable in one installment within twelve months.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Dillon County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated. *Provided*, that the auditor shall first apply those monies on hand and not pledged to payment of the loan.

The full faith, credit and taxing power of the school district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R812, S542)

No. 1204

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution Of This State Limiting The Bonded Indebtedness Of Political Subdivisions, So As To Permit Dillon County To Incur Bonded Indebtedness For School Purposes In An Amount Not Exceeding Fifteen Per Cent Of The Assessed Value Of All Taxable Property Within The County And To Exclude Such Indebtedness From The Limitation Of Aggregate Indebtedness Upon Any Territory In The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed, bonded indebtedness of Dillon County.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: Add at the end of the section the following proviso: "*Provided*, that Dillon County may incur bonded indebtedness for school purposes in an amount not exceeding fifteen per cent of the assessed value of all taxable property in the county, and such indebtedness shall not be considered in determining the aggregate debt limitation imposed by this section."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State be amended so as to permit Dillon County to incur bonded indebtedness for school purposes in an amount not exceeding fifteen per cent of the assessed value of all taxable property within the county and to exclude such indebtedness from the limitation of aggregate indebtedness upon any territory in the county?"

In favor of the amendment ☐Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment', and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

Ratified the 26th day of February, 1964.

(R906, S619)

No. 1205

A Joint Resolution To Create A Committee To Make A Study And Recommendations For Hospital Needs In Dillon County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Committee created to study hospital needs.—There is hereby created a committee of seven citizens of Dillon County to make a study and recommendations concerning the need of a hospital in Dillon County. The members shall be appointed by a majority of the legislative delegation, including the Senator.

SECTION 2. Meetings and officers.—As soon as practicable after their appointment, the committee shall meet and from among themselves select one of their members to serve as chairman and one to serve as secretary. Thereafter the committee shall meet at the call of the chairman or a majority of the members. To constitute a quorum for the purpose of transacting any business, two thirds of the members of the committee must be present.

SECTION 3. Duties.—The committee shall study the need for a county hospital. The committee shall formulate plans with estimates of costs and time necessary to complete construction. It shall investigate land sites and estimate land requirements with costs, and shall make a complete survey of building needs. The committee shall investigate the availability of Federal funds that may be applied toward the construction of the hospital. They shall consult with such county officials and citizens of Dillon County as may be necessary or desirable in order to present to the county a building which will serve the people in an ever expanding economy for years to come without the need of expensive extensions and additions. The committee shall

make a report of its findings to the Dillon County Legislative Delegation not later than January 1, 1965.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R923, H2359)

No. 1206

An Act To Authorize The Board Of School Trustees Of The Lake View District No. 1, In Dillon County, To Issue Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that the Lake View District No. 1, in Dillon County, has outstanding short-term indebtedness incurred for school purposes within the district and that to meet the obligation under the existing terms would be burdensome to the taxpayers of the district and that additional facilities are needed within the district for school purposes. It has therefore determined to authorize the Board of School Trustees of the Lake View District No. 1, in Dillon County, to issue general obligation bonds to the extent of two hundred thousand dollars or such lesser sum as may, upon the occasion of the issuance of the bonds, be determined to be within the constitutional limits applicable to the district.

SECTION 2. Bond issue authorized.—In order to obtain funds for the purposes set forth, the board is hereby authorized to issue not exceeding two hundred thousand dollars of general obligation bonds of the district. The proceeds derived from the sale of the bonds shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of the bonds.

..(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, to acquire further public school facilities, and to pay existing short-term obligations.

(d) If any balance remain, it shall be held by the Treasurer of Dillon County in a special fund and used to effect the retirement of the bonds authorized hereby.

SECTION 3. Maturity — redemption — denominations — interest.—The bonds may be issued as a single issue, or from time to time as several separate issues in the discretion of the board; *Provided*, that no bonds shall be issued later than two years after the effective date of this act. All bonds shall mature serially in successive annual instalments of such amounts as may be determined by the board, except that the maturity date of the last instalment of any bonds issued hereunder shall fall due not later than twenty years from the date the bonds bear, and the first maturity date may be postponed not more than two years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the board, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the board shall prescribe. The bonds shall be of such denomination, shall bear such rate or rates of interest as the board may determine, payable on such occasions as the board shall determine, but the average rate of interest for any issue of bonds sold pursuant to the authorizations of this act shall not exceed four and one-half per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Dillon County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board may prescribe. They shall bear such date or dates and be payable at such places as the board may likewise prescribe.

SECTION 4. Execution.—The bonds, and the interest coupons thereto attached, shall be executed in such manner as the board shall prescribe.

SECTION 5. Sale.—The bonds shall be sold by the board at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 6. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax-exempt status as prescribed by Section 65-4.1 of the 1962 Code.

SECTION 7. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Dillon County, and collected by the Treasurer of Dillon County, a tax without limit on all taxable property in the district, sufficient to pay the principal and interest of the bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 8. Action required of board.—Any action required of the board may be taken at any meeting of the board, regular or special, and at such meeting a majority of the members of the board shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the board by the provisions of this act. *Provided*, that any action required of the board concerning the issuance of the bonds provided for in this act shall be voted on favorably by a majority of the members.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R924, H2360)

No. 1207

An Act To Authorize The Board Of School Trustees Of The Dillon District No. 2, In Dillon County, To Issue Not Exceeding Three Hundred Sixty Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that the Dillon District No. 2, in Dillon County, has an outstanding short term indebtedness of three hundred sixty thousand dollars, that the indebtedness was incurred for school purposes within the district and that to meet the obligation under the existing terms would be burdensome to the taxpayers of the district. It has therefore determined to authorize the Board of School Trustees of the Dillon District No. 2, in Dillon County, to issue general obligation bonds to the extent of three hundred sixty thousand dollars or such lesser sum as may, upon the occasion of the issuance of the bonds, be determined to be within the constitutional limits applicable to the district.

SECTION 2. Bond issue authorized.—In order to obtain funds for the purposes set forth, the board is hereby authorized to issue not exceeding three hundred sixty thousand dollars of general obligation bonds of the district. The proceeds derived from the sale of the bonds shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of the bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to pay existing short term obligations.

(d) If any balance remain, it shall be held by the Treasurer of Dillon County in a special fund and used to effect the retirement of the bonds authorized hereby.

SECTION 3. Maturity — redemption — denominations — interest.—The bonds may be issued as a single issue, or from time to time as several separate issues in the discretion of the board; *provided*, that no bonds shall be issued later than two years after the effective date of this act. All bonds shall mature serially in successive annual instalments of such amounts as may be determined by the board, except that the maturity date of the last instalment of any bonds issued hereunder shall fall due not later than twenty years from the date the bonds bear, and the first maturity date may be postponed not more than two years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the board, contain a provision permitting its redemption prior to its stated maturity at

such redemption premium as the board shall prescribe. The bonds shall be of such denomination, shall bear such rate or rates of interest as the board may determine, payable on such occasions as the board shall determine, but the average rate of interest for any issue of bonds sold pursuant to the authorizations of this act shall not exceed four and one-half per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Dillon County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board may prescribe. They shall bear such date or dates and be payable at such places as the board may likewise prescribe.

SECTION 4. Execution.—The bonds, and the interest coupons thereto attached, shall be executed in such manner as the board shall prescribe.

SECTION 5. Sale.—The bonds shall be sold by the board at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 6. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax exempt status as prescribed by Section 65-4.1 of the 1962 Code.

SECTION 7. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Dillon County, and collected by the Treasurer of Dillon County, a tax without limit on all taxable property in the district, sufficient to pay the principal and interest of the bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 8. Action required of board.—Any action required of the board may be taken at any meeting of the board, regular or special, and at such meeting a majority of the members of the board shall constitute a quorum for the purpose of adopting a resolution

making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the board by the provisions of this act. *Provided*, that any action required of the board concerning the issuance of the bonds provided for in this act shall be voted on favorably by a majority of the members.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R954, H2358)

No. 1208

An Act To Authorize The Board Of School Trustees Of The Latta District No. 3, In Dillon County, To Issue Not Exceeding Two Hundred Thirty Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that the Latta District No. 3, in Dillon County, has an outstanding short term indebtedness of one hundred thirty thousand dollars, that the indebtedness was incurred for school purposes within the district and that to meet the obligation under the existing terms would be burdensome to the taxpayers of the district. It has therefore determined to authorize the Board of School Trustees of the Latta District No. 3, in Dillon County, to issue general obligation bonds to the extent of two hundred thirty thousand dollars or such lesser sum as may, upon the occasion of the issuance of the bonds, be determined to be within the constitutional limits applicable to the district.

SECTION 2. Bond issue authorized.—In order to obtain funds for the purposes set forth, the board is hereby authorized to issue not exceeding two hundred thirty thousand dollars of general obligation bonds of the district. The proceeds derived from the sale of the bonds shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of the bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to pay existing short term obligations.

(d) If any balance remain, it shall be held by the Treasurer of Dillon County in a special fund and used to effect the retirement of the bonds authorized hereby.

SECTION 3. Maturity — redemption — denominations — interest.—The bonds may be issued as a single issue, or from time to time as several separate issues in the discretion of the board; *provided*, that no bonds shall be issued later than two years after the effective date of this act. All bonds shall mature serially in successive annual instalments of such amounts as may be determined by the board, except that the maturity date of the last instalment of any bonds issued hereunder shall fall due not later than twenty years from the date the bonds bear, and the first maturity date may be postponed not more than two years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the board, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the board shall prescribe. The bonds shall be of such denomination, shall bear such rate or rates of interest as the board may determine, payable on such occasions as the board shall determine, but the average rate of interest for any issue of bonds sold pursuant to the authorizations of this act shall not exceed four and one-half per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Dillon County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board may prescribe. They shall bear such date or dates and be payable at such places as the board may likewise prescribe.

SECTION 4. Execution.—The bonds, and the interest coupons thereto attached, shall be executed in such manner as the board shall prescribe.

SECTION 5. Sale.—The bonds shall be sold by the board at not less than par and accrued interest to the date of their respective de-

liveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 6. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax exempt status as prescribed by Section 65-4.1 of the 1962 Code.

SECTION 7. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Dillon County, and collected by the Treasurer of Dillon County, a tax without limit on all taxable property in the district, sufficient to pay the principal and interest of the bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 8. Action required of board.—Any action required of the board may be taken at any meeting of the board, regular or special, and at such meeting a majority of the members of the board shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the board by the provisions of this act. *Provided*, that any action required of the board concerning the issuance of the bonds provided for in this act shall be voted on favorably by a majority of the members.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R1009, H2405)

No. 1209

An Act To Authorize Dillon County To Use For School Construction The Monies Of A General Obligation Bond Issued Pursuant To Act No. 498 Of 1963.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dillon County may use certain money.—So much money as is held by the State Highway Department for Dillon County pursuant to Act No. 498 of 1963 shall be turned over to the Treasurer of Dillon County. Such money shall be used only for the purpose provided for in this act.

SECTION 2. Money may be loaned to Latta District 3.—The Treasurer of Dillon County is hereby authorized to lend the money held by him under the provisions of Section 1 to Latta District No. 3 for the payment of school construction. Such amount shall not exceed the sum of one hundred thousand dollars. The loan shall be repaid within twelve months.

SECTION 3.. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1249, S832)

No. 1210

An Act To Amend Act No. 498 Of 1963, Relating To The Issuance Of Five Hundred Thousand Dollars Of General Obligation Bonds Of Dillon County, So As To Further Provide For The Purposes And Expenditure Of The Issuance.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 498 of 1963 amended—Dillon County may issue bonds.—Section 1 of Act 498 of 1963 is amended by striking the period at the end and adding: “and for school purposes.” When so amended, the Section shall read:

“Section 1. The County Board of Commissioners of Dillon County is authorized to issue and sell general obligation bonds of Dillon County in an amount not to exceed five hundred thousand dollars to defray the cost of constructing and improving roads in the county and for school purposes.”

SECTION 2. Section 12 of Act 498 of 1963 amended—proceeds.—Section 12 of Act 498 of 1963 is amended by changing the period at the end of the section to a comma and adding: “or be deposited in the school fund of the county as is directed by the Board.” When so amended, the section shall read:

"Section 12. The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Dillon County, and shall be deposited in a bond account fund and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be first applied to defray the cost of issuing the bonds authorized hereby and so much as remains thereafter shall be turned over to the State Highway Department and applied by it on construction, up to the standards required for State secondary highways, of county roads in Dillon County, or be deposited in the school fund of the county as is directed by the Board."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1260, S833)

No. 1211

An Act To Authorize The Board Of Trustees Of Latta School District No. 3 Of Dillon County To Borrow Monies From The Governing Body Of The County For School Purposes, And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Latta School District 3 may borrow money.—The Board of Trustees of Latta School District No. 3 of Dillon County is authorized to borrow from the governing body of the county any available money obtained through the issuance of bonds as provided in Act No. 498, of the Acts of 1963, which has not been pledged or obligated and which may be derived from further issuances. The amount borrowed shall be evidenced by a note executed by the board of trustees and shall bear interest at such rate and be payable at such time as may be agreed upon by the lender and borrower.

SECTION 1-A. Payment.—Any money made available to Latta School District No. 3, pursuant to the bond issue authorized by an

Act of 1964, bearing Ratification No. 954, shall be used for the payment of the note. The payment shall be made immediately upon the receipt of any such money.

SECTION 2. Payment further.—In the event payment is not made as provided in Section 1-A of this act within twelve months from the date of the note, the Auditor of Dillon County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated. *Provided*, that the auditor shall first apply those monies on hand and not pledged to payment of the loan.

The full faith, credit and taxing power of the school district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1266, S868)

No. 1212

An Act To Authorize The County Board Of Commissioners Of Dillon County To Borrow One Hundred Thousand Dollars For General County Purposes And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dillon County may borrow money.—The County Board of Commissioners of Dillon County is authorized to borrow from the Division of Sinking Funds and Property one hundred thousand dollars for general county purposes, with interest from the date of the loan at four per cent per annum. The note shall be signed by the members of the board and the Treasurer of Dillon County. The loan shall be repayable in five equal, annual installments.

SECTION 2. Payment.—For the payment of the note, the Auditor and Treasurer of Dillon County shall levy and collect an annual tax

on all of the taxable property in the county sufficient to retire the loan with interest due thereon. The full faith, credit and taxing powers of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1324, H2554)

No. 1213

An Act To Make Supplemental Appropriations For Dillon County For The Fiscal Year 1963-1964.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriation for the fiscal year 1963-1964 is made from the general fund of Dillon County:

Chain Gang Guard Salary Supplement	\$ 1,000.00
Public Buildings	5,000.00
Retirement	3,000.00
Social Security	4,000.00
Radios, Sheriff's Department	5,496.93
Tax Assessment—Salaries, mileage, etc.	11,000.00
Tax Assessment—Office Expense	1,277.24
Road Machinery	7,500.00
Dr. W. V. Branford	100.00
Emergency Food Workers—Salaries, February and March	720.00
Rural Firemen	2,195.00
Tax Assessment —Appeal Board	3,600.00
Total	\$ 44,889.17

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1385, H2472)

No. 1214

An Act To Provide For The Levy Of Taxes For County And School Purposes Of The County Of Dillon For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965; To Provide For The Expenditure Thereof; And To Prescribe The Duties Of Certain County Officers.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of ten mills is hereby levied upon all the taxable property in the County of Dillon for county purposes, for the fiscal year beginning July 1, 1964, for the amounts and for the purposes hereinafter stated, two mills of which shall be applied toward retirement of a one hundred thousand dollar loan from the Division of Sinking Funds and Property for a five-year period, that is to say:

A. Salaries:

Auditor's Office:

County Auditor, Salary	\$ 2,100.00
Mileage	200.00
Clerk to Auditor	2,940.00

The county auditor is hereby assigned as custodian of grounds of public buildings and auditing machines.

Deputy Auditor is hereby assigned as assistant custodian of grounds of public buildings and auditing machines	200.00
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Total	\$ 5,440.00
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Treasurer's Office:

County Treasurer, Salary	\$ 2,100.00
Mileage and Office Expense	200.00
Clerk to County Treasurer	2,940.00
Clerk to County Treasurer (part time)	500.00

Total	\$ 5,740.00
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Clerk of Court's Office:

Clerk of Court, Salary	\$ 5,400.00
Mileage and Office Expenses	200.00
Additional Duties, Clerk of Court	300.00
Clerk to Clerk of Court	2,940.00
Clerk to Clerk of Court (part time)	1,260.00

Provided, the Clerk of Court is herewith assigned additional duties of custodian of courthouse and photographic machine operator.

Total\$ 10,100.00

Sheriff's Office:

Investigator	\$ 150.00
Sheriff, Salary \$6,400.00, Mileage \$600.00	7,000.00
Deputy Sheriffs 5 @ \$4,800.00 each salary and \$400.00 each mileage	26,000.00
Radio Supplies, Equipment and Uniforms	500.00
Jailer-Radio Operator	2,000.00
Clerk to Sheriff	2,940.00

Provided, the sheriff shall designate one deputy as the Chief Deputy and for such additional duties he shall be compensated annually, additional salary

300.00

The sheriff shall designate one deputy as special deputy and for such additional duties he shall be compensated annually, additional salary

300.00

Gasoline and upkeep of county automobiles 4,600.00

Provided, that after this amount is spent it becomes the responsibility of the sheriff and deputies to pay for own gas and upkeep of county automobiles.

Provided, the sheriff shall dispose of at public sale all confiscated automobiles, trucks or other vehicles on hand, within a period of sixty days of seizure, and deposit the proceeds with the County Treasurer to be used for educational purposes.

Total\$ 43,790.00

Probate Judge's Office:

Judge of Probate, Salary	\$ 4,500.00
Mileage and Office Expense	400.00
Clerk to Probate Judge	2,940.00
Clerk to Probate Judge (part time)	1,800.00

Total\$ 9,640.00

County Board of Commissioners:

Chairman, Salary	\$ 1,300.00
6 Commissioners @ \$1,000.00 each	6,000.00
Clerk to County Board	2,940.00
Dieting of Prisoners	1,750.00
Emergency Fund—Jail Medicines	1,500.00
Pauper Burials @ \$75.00 each	3,000.00
Road Supervisor, Salary	4,400.00
Operational Fund for Road Maintenance, Bridges, etc.	32,000.00
Chain Gang Guards, 4 @ \$3,000.00 1 @ \$3,- 300.00	15,300.00
One Mechanic	3,000.00
Clerk to Delegation, provided that Clerk of Board of Commissioners shall serve as Clerk to Delegation	360.00
Dillon Rescue and First Aid	500.00
Street Lights for Unincorporated Communities	1,860.00
Dillon County Historical Society	500.00
Lake View Rescue and First Aid	500.00

Total\$ 74,910.00

Board of Education Office:

Chairman, @ \$50.00 per month	\$ 600.00
6 Members, @ \$480.00 each	2,880.00
Clerk to County Board of Education	2,940.00
Attendance Teacher, Mileage Expenses	600.00
County Superintendent of Education, Mileage Expense	1,200.00

Total\$ 8,220.00

Board of Health:

Sanatarian, Salary	\$ 3,700.00
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Travel:

Health Officer	850.00
Sanitarian III	1,780.00
P. H. Nurse 1-B	1,000.00
P. H. Nurse 1-A	1,000.00
P. H. Nurse 1-A	1,000.00
Miscellaneous Office Expense	1,268.00
Chest X-Ray Clinic	500.00
Crippled Children's Travel	1,200.00

Total\$ 12,298.00

Department of Public Welfare:

Mileage and use of personal cars for 8 workers @ \$400.00	\$ 3,200.00
Telephone	500.00
Chairman	420.00
Two Members, @ \$360.00 each	720.00
Two Clerks, @ \$240.00 each	480.00
Mileage, Child Welfare Worker	720.00
Miscellaneous Expense—Office	2,040.00
Emergency Aid Fund, includes hospitalization and medical care for paupers only—not on Wel- fare Rolls	15,000.00

Provided, that hospitalization of indigent persons shall be expended only upon approved certificates by the Board of Public Welfare of Dillon County and there shall not be expended on any one case a greater sum than \$175.00.

Provided, further, that the Board may in extreme cases approve further expenditures, but the county shall not be liable for additional sums unless authorization by the Board is first secured. This fund shall be drawn quarterly by the Board of Public Welfare from the County Board of Commissioners on vouchers.

Total\$ 23,080.00

Office of County Service Officer:

Service Officer, Salary	\$ 3,600.00
Service Officer, Mileage	1,200.00

Clerk to Service Officer	2,750.00
Office Expense	400.00

Total\$ 7,950.00

Tax Collector's Office:

Assistants to Tax Collector\$ 3,500.00

Provided, this fund shall be disbursed on a basis of two dollars for each tax execution collected by Tax Collector or Assistant Collectors, and that their claims shall be approved by the Delinquent Tax Collector before approval and payment by the County Board of Commissioners.

Clerk to Delinquent Tax Collector 2,940.00

Total\$ 6,440.00

Magistrates:

Dillon\$ 3,300.00

Little Rock 600.00

Latta 2,800.00

Kirby 600.00

Lake View 2,000.00

Fork 600.00

Hamer 600.00

Total\$ 10,500.00

Master's Office:

Master, Salary\$ 1,500.00

Office and Operating Expense 900.00

Total\$ 2,400.00

Coroner's Office:

Coroner, Salary\$ 1,800.00

Stenographer to Coroner 200.00

Provided, that stenographer shall be paid by County Board of Commissioners at the rate of \$7.00 per inquest.

Mileage 400.00

Total\$ 2,400.00

County Attorney's Office:	
County Attorney, Salary	\$ 500.00
Total	\$ 500.00
Janitors:	
Janitors at Courthouse	\$ 1,750.00
Janitor at Agricultural Building	1,670.00
Janitor at Health Center	1,670.00
Total	\$ 5,090.00
B. Jurors	\$ 3,350.00
<i>Provided</i> , jurors be paid at rate of \$7.50 per day and mileage each day served.	
Total	\$ 3,350.00
C. Post Mortems, Inquests, Lunacy Examinations	\$ 1,000.00
Total	\$ 1,000.00
D. Public Buildings, including Health Centers, Fuel, Water, Lights, Insurance, Telephone	\$ 20,000.00
<i>Provided</i> , however, that all long distance telephone calls be reported separately to the Board of Commissioners before any bills shall be paid, such reports to be submitted by the first Monday in each month.	
Total	\$ 20,000.00
E. Dillon Armory	\$ 1,800.00
Total	\$ 1,800.00
F. Cancer Society	\$ 750.00
Dillon County Mental Health Association	250.00
Total	\$ 1,000.00
G. Printing, Postage, Stationery	\$ 7,500.00
Total	\$ 7,500.00
H. Contingencies:	
Miscellaneous Contingent Fund	\$ 2,500.00

Provided, it be spent upon approval of the County Board of Commissioners. Amount to be used for Uniform Reciprocal Enforcement of Support Act to be disbursed @ \$25.00 per case 500.00

Total	\$ 3,000.00
I. Librarian (Latta)	\$ 1,440.00
Assistant Librarian	3,003.00
Librarian (Dunbar)	1,481.56
Librarian (Lake View)	792.00
Part-time help	1,267.20
Part-time help	1,267.20
Helper	1,029.60
Helper	712.80
Helper	475.20
Sub-total	\$ 11,468.56
Repairs	\$ 350.00
Books, magazines, book repair and bookmobile	3,612.00
Books, to the County Board of Education, on a per pupil basis	2,500.00
Insurance, heat, lights, water and telephone	1,720.00
Total	\$ 19,650.56
J. Vital Statistics	\$ 300.00
Total	\$ 300.00
K. Postage, Home and Farm Agents	\$ 50.00
4-H Club—Boys'	200.00
4-H Club—Girls'	200.00
Home Demonstration Supplies	50.00
Boy Scout Work	250.00
Girl Scout Work	250.00
Home Demonstration Agent, Salary Supplement	240.00
County Agent, Salary Supplement	750.00
Assistant County Agent, Mileage	350.00
Dillon Soil Conservation Dist.	350.00
Game Warden, Mileage	300.00
Total	\$ 2,990.00

L. Retirement Fund, County Officials	\$ 6,000.00
Social Security, County Officials	6,000.00
Workmen's Compensation	2,000.00
Total	\$ 14,000.00
M. Chaplain for Chain Gang	\$ 300.00
Total	\$ 300.00
N. Dillon County Soil Conservation Supervisor	
Clerk part time	\$ 2,730.00
Total	\$ 2,730.00
O. Board of Equalization and Appeals	\$ 1,000.00
Total	\$ 1,000.00
P. Dunbar Memorial Library:	
Librarian, Salary—\$25.00 monthly	\$ 300.00
Total	\$ 300.00
Q. Forestry Board:	
Operation—two trucks @ \$300.00	\$ 600.00
Total	\$ 600.00
R. American Legion	\$ 500.00
V. F. W.	500.00
Lake View American Legion	500.00
Mrs. A. B. Jordan—Retirement @ \$75.00 per month	900.00
Audit of County Books	1,800.00
Lake View Rural Fire House	6,200.00
Lake View American Legion—Colored	750.00
B. F. Gasque—Retirement @ \$100.00 per month	1,200.00
Dillon Summer Recreation Department	1,000.00
Latta Summer Recreation Department	500.00
Lake View Summer Recreation Department ...	500.00
Dillon Colored Recreation Department	500.00
Total	\$ 14,850.00

Director of Civil Defense	\$ 5,400.00
Assistant Director of Civil Defense	4,000.00
Administrative Asst.	2,940.00
Civil Defense Administrative Office Expense ..	1,500.00
Engineer	3,600.00
Fire Department Operation	2,500.00
Civil Defense Surplus Property	1,000.00
Firemen's Compensation	7,000.00

Provided, the above sum shall be expended at the rate of \$5.00 per rural fire on individual vouchers submitted quarterly and approved by Dillon County Rural Fire Director.

S. Board of Appeals and Equalization—9 members at \$30.00 per month	3,340.00
Tax Assessor	5,400.00
1 Clerk	2,940.00

Total	\$ 39,620.00
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GRAND TOTAL—APPROPRIATIONS .. \$363,988.56

Estimated Amount of Deductions and Discounts:

Tax Discount Act	\$ 5,000.00
Estimated Amount of 1962-1963 Nulla Bona	
Tax Executions	5,000.00

Total	\$ 10,000.00
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GRAND TOTAL—ALL APPROPRIATIONS .. \$373,988.56

Less Estimated Revenue—other than taxes:

Insurance Tax from State	\$ 20,000.00
Fines and Costs—Magistrate	50,000.00
Gasoline Tax from State	60,000.00
Liquor Tax and Licenses from State	30,000.00
Income Tax from State	40,000.00
From State for Service Officer's Office	5,000.00
Fees and Commissions from County Offices ...	40,000.00
Beer Tax from State	12,000.00
Bank Tax from State	2,000.00

Civil Defense Compensation	7,000.00
Other Miscellaneous	10,000.00
	<hr/>
	\$276,000.00
	<hr/>
Net to be raised from Taxation	\$ 97,988.56

SECTION 2. Supplies such as coal, fuel, food, office and other supplies for operation of the county courthouse, agricultural building, health centers, jail and chain gang shall be purchased by the board of county commissioners. No salaries shall be paid in advance.

SECTION 3. The Road Supervisor of Dillon County shall perform his duties under the direction and control of the county board of commissioners. The county board of commissioners shall control and maintain strict supervision of all county roads, all equipment and installations at the chain gang camp and such cemeteries as may be decided upon by the board. Supplies and equipment for the chain gang shall be purchased by or at the direction of the county board of commissioners.

SECTION 4. The appointment of the jailer shall be the duty of the sheriff, and he shall be fully responsible for the jailer's duties and actions. The jailer is also to be radio operator at the jail's remote control station.

SECTION 5. The County Treasurer of Dillon County, and other officers of the county who may handle funds of the county, are hereby authorized and empowered to deposit funds of the county or subdivisions thereof, both current or sinking funds in any bank or banks, but before making such deposits, shall require from such bank or banks a bond equal to or in excess of funds deposited, secured by bonds of the United States Government, or State, county, or any political subdivision thereof, and approved by a majority of the following: chairman of the board of county commissioners, county auditor, county treasurer, chairman of the county board of education, in writing and filed with the clerk of court for public inspection, to indemnify the county against loss. *Provided*, that the county treasurer is hereby authorized, in his discretion, to use any sinking fund money on hand to buy any of the bonds or notes of the county or any school district thereof. No county funds shall be used for bringing fugitives from the county back into the State,

except the amount therefor first be approved by the board of county commissioners.

SECTION 6. The county auditor is hereby authorized, empowered and directed to charge the following levies against all taxable property of the County of Dillon for the fiscal year 1964-1965 for the following purposes: county ordinary, ten mills; teachers' salaries, twenty mills; one mill teachers' sick leave for a maximum annual sick leave of five days per teacher @ \$9.00 per day, any days not used in any school year may accumulate to next school year, not to exceed ten days, but no teacher shall be allowed to use more than ten days sick leave in any one school year; incidental expenses for schools, ten mills; building repairs for school, nine mills; insurance on public school buildings, one mill; and school lunches, three mills to be used for lunches upon the recommendation of the county board of education; free text books, three mills. *Provided*, no dog tax be levied.

SECTION 7. The commutation road tax for the year 1964-1965 shall be two dollars and shall so remain at the same annual rate until changed by the Dillon County Delegation in the annual appropriations act.

SECTION 8. The amounts appropriated herein, under the several items for the several purposes as indicated, are the maximum amounts appropriated for such purposes, and it shall be unlawful for the various county boards or officers to make contract or contracts, for the expenditure of the monies, or the county treasurer to pay any sums in excess of the amount appropriated under such item, unless otherwise provided by law, or without the consent in writing, of a majority of the Legislative Delegation, including the Senator, from Dillon County. *Provided*, that no funds shall be transferred from one appropriation to another without the consent in writing of a majority of the Legislative Delegation, including the Senator, from Dillon County.

The county commissioners are hereby required to keep a separate account covering the various items of the appropriations act and not to exceed in expenditure or contract the amount herein provided for each item, and for such excess allowed or permitted, said officers shall be held liable on their official bonds. The clerk of the county board of commissioners shall make monthly statements of expenditures and balances of the different items, both to the board and

to each member of the Legislative Delegation from Dillon County. Any contract made in violation of this act shall not be a valid claim against Dillon County.

SECTION 9. The legal office hours for the County of Dillon shall be from 8:30 A. M. to 5 P. M., except Saturdays, when the hours shall be from 8:30 A. M. to 12 noon. *Provided*, that all holidays declared legal holidays by the State of South Carolina are excepted from the provisions thereof. *Provided*, further, November eleventh and December twenty-sixth are hereby designated as legal holidays in Dillon County.

SECTION 10. All funds remaining in the treasurer's accounts, other than appropriated funds, shall be set aside as permanent reserve funds and shall be used subject to the same terms and conditions as apply to county sinking funds. The accountant making the annual audit of the county shall cause such transfers as are necessary to be made in the event such entries have not been made by the office or officer having such funds in his custody. Before charging off any tax execution as nulla bona, it shall be the duty of the delinquent tax collector to call in session the members of the board of assessors of the district, or districts, affected, who shall examine all items proposed to be charged off as uncollectible and no such execution or charge shall be eliminated unless it bears the written approval of the board or the members of the district comprising the board in which the charge was made, and the reason for charging off any nulla bona item shall be written on the face thereof.

SECTION 11. The Superintendent of Education of Dillon County is hereby authorized and directed to establish and keep complete records, subject to yearly audit, of all receipts and disbursements of funds of all school hot lunch operations in Dillon County. All school officials receiving or disbursing school hot lunch funds shall submit to the Superintendent of Education of Dillon County monthly reports or statements of their receipts and disbursements of school hot lunch funds.

SECTION 12. The county auditor is hereby authorized and empowered to raise or lower the levies herein provided as may be necessary to meet the appropriations herein made after taking into consideration the other revenues accruing to or to accrue to the county. *Provided*, such change in levy is approved in writing by a majority

of the Legislative Delegation, including the Senator, from Dillon County. *Provided*, further that the auditor shall not collect any fees for the entry or endorsement on any deed of conveyance of real property recorded in his office.

SECTION 13. All unexpended appropriated funds in any item of this act shall revert back to the general funds of Dillon County at the end of the fiscal year.

SECTION 14. It shall be the duty of the probate judge to make a charge of two dollars for issuance of certified copies of marriage licenses to a non-resident of Dillon County. All fees collected under this section shall be paid to the Treasurer of Dillon County and credited to the general funds.

SECTION 15. Each month all monies turned over to the county treasurer by the delinquent tax collector shall be distributed equally among the three school districts by the county treasurer, and shall be expended on this basis as directed by the county board of education.

SECTION 16. This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R992, H2467)

No. 1215

An Act To Authorize The Governing Body Of Dorchester County To Borrow Not Exceeding Three Hundred Fifty Thousand Dollars For The Construction Of County Roads; To Provide That Such Roads Shall Be Constructed By The State Highway Department Pursuant To A Contract Of Reimbursement To Be Made Between The Governing Body And The State Highway Department; And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Section 65-1075 of the 1962 Code provision was made for the continuance of the so-called Farm-to-Market or State Secondary Highway program for the period to end June 30, 1972,

and that it was therein provided the method by which funds available for such purpose should be apportioned among the counties of the State.

Pursuant to such program, funds were made available for Farm-to-Market Roads in Dorchester County for the fiscal year ending June 30, 1963, in the amount of one hundred eighteen thousand, four hundred dollars, and it is to be reasonably anticipated that during each fiscal year throughout the period to end June 30, 1972, further substantial apportionments will be made.

In Dorchester County it has been determined that an immediate need exists for further Farm-to-Market Roads, and that the governing body of Dorchester County, (hereinafter called the "board"), should be empowered to borrow not exceeding three hundred fifty thousand dollars and to make such sum available to the State Highway Department which, in turn, should apply the same to the construction of the most-needed county roads in Dorchester County, which have been transferred to and thus become a part of the State's Secondary Highway System (Farm-to-Market Roads).

SECTION 2. Dorchester County may borrow money.—If a suitable agreement can be reached between the board and the State Highway Department providing that the State Highway Department shall construct Farm-to-Market Roads in Dorchester County to an extent mutually agreed upon and divert moneys which would otherwise be expended in future years for Farm-to-Market Roads in Dorchester County, to the extent estimated to be necessary to meet the payment of the principal of the obligation herein authorized, the board is authorized to borrow three hundred fifty thousand dollars which shall be repaid in three equal, annual installments, with interest at a rate to be agreed upon by the board and the lender.

SECTION 3. Reimbursement by Highway Department.—The State Highway Department is hereby authorized to reimburse Dorchester County for all moneys turned over to it by Dorchester County pursuant to this act. This reimbursement shall be made in annual installments (in amounts not exceeding the annual debt service on the obligation) out of the apportionment of funds accruing to Dorchester County under the State Highway Department's Farm-to-Market Construction Program and by reason of the statute, if so much thereof shall accrue to Dorchester County. The State Highway Department shall not be obligated to the repayment to Dorchester County for any installment due under its reimbursement

agreement unless sufficient amounts for such installments shall accrue to Dorchester County under the State Farm-to-Market Construction Program. The State Highway Department shall not be required to pay any interest to Dorchester County for funds turned over to the department pursuant to the provisions of this act. If, during any year hereafter, the apportionment to which Dorchester County is entitled exceeds the sum required to meet the annual installment of principal or interest of the bonds in that year, then such excess shall be applied by the State Highway Department as if no reimbursement agreement had been entered into.

SECTION 4. Powers to be additional.—The powers and authorizations conferred upon the board and the State Highway Department shall be in addition to all other powers and authorizations previously vested in them.

SECTION 5. Time effective.—This act shall take effect May 1, 1964.

Approved the 27th day of March, 1964.

(R1025, H2552)

No. 1216

An Act To Provide For The Levy Of Taxes For Ordinary, School And General County Purposes For Dorchester County For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965, And To Direct And Provide For The Expenditure Thereof; And To Otherwise Provide For The Fiscal Affairs And The Administration Of The Business Of Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following sums of money, if so much be necessary, be and the same are hereby appropriated for the purposes herein set forth for the County of Dorchester for the fiscal year beginning July 1, 1964, and ending June 30, 1965; and the Auditor of Dorchester County is hereby authorized to levy, and the Treasurer to collect, a tax upon all the taxable property in the county sufficient to defray the same, after deducting all other available income and revenue :

Item 1.	Roads and Bridges—Convicts and Maintenance of Road Organization and Equipment	\$ 55,000.00
	Total, Item 1	\$ 55,000.00
Item 2.	Salaries:	
	Clerk's Office:	
	Clerk of Court	\$ 1,800.00
	Clerical Help to Clerk	8,100.00
	Books—Book Binding, Supplies	2,000.00
		11,900.00
	Sheriff's Office:	
	Sheriff	4,500.00
	Expenses for Sheriff—Travel, etc.	1,800.00
	Clerical Help for Sheriff	2,700.00
	Deputy Sheriffs (Four @ \$300.00 per month) .	14,400.00
	Expenses—Deputy Sheriffs (\$175.00 each per month)	8,400.00
	Law Enforcement Fund (to be expended by Sheriff)	800.00
	Payment on Radios	1,135.80
	Deputy Sheriff and Jailer (Jailer to act as Radio Dispatcher at night)	1,980.00
	Expense for Jailer	420.00
	Uniforms for Deputies	700.00
	Service and Reports on Radios	600.00
		37,435.80
	County Treasurer's Office:	
	Treasurer	1,200.00
	Clerks to Treasurer	3,300.00
	Supplies for Office and Extra Help	300.00
	Expense—Travel, etc.	1,800.00
		6,600.00
	Auditor's Office:	
	Auditor	1,200.00
	Clerk Hire to Auditor	3,300.00
	Supplies for Office and Extra Help	300.00
		4,800.00

Tax Collector's Office:	
Tax Collector	3,600.00
Expenses—Travel, etc., for Collector (All fees, except mileage, to be paid to the Treasurer) ..	600.00
Clerk to Tax Collector	2,700.00
	<hr/>
	6,900.00
County Attorney	1,200.00
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	1,200.00
Coroner's Office:	
Coroner	600.00
Expenses, Travel, etc.	300.00
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	900.00
Master in Equity's Office:	
Master in Equity	1,200.00
Clerk—Part time to Master (All fees to be retained by Master)	900.00
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	2,100.00
Janitors and maintenance for Courthouse, Office Building, Health Clinic, etc.	
	4,800.00
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	4,800.00
Road Supervisor's Office:	
Road Supervisor	4,800.00
Expenses, Travel, etc.	600.00
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	5,400.00
Judge of Probate's Office:	
Judge of Probate (All fees to be retained by Judge of Probate)	2,400.00
Clerk to Judge of Probate	1,500.00
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	3,900.00
Board of Directors:	
Chairman, Board of Directors	2,400.00
Four Directors @ \$900.00 each	3,600.00
Clerk to Board of Directors	2,700.00
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	8,700.00

Clerk to Health Nurse at Summerville	2,400.00
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	2,400.00
Magistrates and Constables:	
Magistrate at St. George	2,000.00
Constable at St. George	1,740.00
Magistrate at Reevesville	1,050.00
Constable at Reevesville	750.00
Magistrate at Harleyville	1,050.00
Constable at Harleyville	750.00
Magistrate at Ridgeville	1,050.00
Constable at Ridgeville	750.00
Magistrate at Summerville	2,000.00
Constable at Summerville	2,000.00
Assistant to Solicitor of First Judicial Circuit..	350.00
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	13,490.00
Superintendent of Education's Office:	
Superintendent—Salary Supplement	500.00
Expense, Travel, etc.	500.00
Clerk Hire	2,700.00
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	3,700.00
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Total, Item 2	\$114,225.80
Item 3. County Boards:	
A. Board of Education—Seven Members	\$ 2,100.00
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	2,100.00
B. Board of Registration—Three Members @ \$500- .00 each	1,500.00
Clerk to Board	500.00
(Members and Clerk to receive \$100.00 per month from Jan. 20, 1965 to June 20, 1965)	
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	2,000.00
C. Board of Accessors	2,500.00
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	2,500.00

D. Board of Health	9,500.00
(The above amount to be expended, if so much be necessary, by the Board of Health for Rent, Utilities, Biologicals, etc., upon the written ap- proval of the Dorchester County Legislative Delegation)	
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	9,500.00
E. Forfeited Land Commission—Three Members ..	1,800.00
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	1,800.00
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Total, Item 3	\$ 17,900.00
Item 4. Dieting of Prisoners at Jail, @ \$1.25 per day ..	\$ 12,000.00
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	12,000.00
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Total, Item 4	\$ 12,000.00
Item 5. Jurors and Witnesses	\$ 4,000.00
<i>Provided</i> , that all jurors be paid \$5.00 per day for attendance at court, and each witness be paid \$3.00 per day for the same.	
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	4,000.00
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Total, Item 5	\$ 4,000.00
Item 6. Charities:	
Dorchester County Hospital	\$ 25,000.00
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	25,000.00
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Total, Item 6	\$ 25,000.00
Item 7. Post Mortems and Lunacies	\$ 1,000.00
Pauper Burials	1,000.00
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	2,000.00
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Total, Item 7	\$ 2,000.00

Item 8. Charges for Water, Lights, Fuel, Insurance for Courthouse, Jail and County Buildings	\$ 5,000.00
	<hr/> 5,000.00
Total, Item 8	\$ 5,000.00
Item 9. Printing, Postage and Stationery	\$ 4,000.00
(This amount to be paid by Board of Directors upon claims presented for above items for all County Officials)	
	<hr/> 4,000.00
Total, Item 9	\$ 4,000.00
Item 10. Miscellaneous:	
A. Bond Premiums for County Officials	\$ 750.00
B. Expenses—Probation Officer	600.00
B-1. Expenses—School Lunch Supervisor	300.00
B-2. Expenses—Director, Department of Public Wel- fare	900.00
B-3. Expenses—Visitors, Department of Public Wel- fare (Three @ \$600.00 each)	1,800.00
B-4. Expenses—Board Members of the Department of Public Welfare	900.00
B-5. Expenses—County Service Officer	600.00
B-5. (A) Clerk to Service Officer	1,500.00
B-6. Telephones—Courthouse, Jail and Department of Public Welfare (including long distance mes- sages in official capacity only)	3,000.00
B-7. Medical attention to prisoners	750.00
B-8. Expenses—Visiting Teacher	600.00
C. Office Rent for County Agents	420.00
C-1. Office Rent, Heat, Lights, etc., for Department of Public Welfare	700.00
C-3. Rent—School Lunch Warehouse	300.00
C-3. (A) Stenographers—Welfare Department— Supplement	600.00
C-4. Rent—F. H. A. Office	210.00
C-4. (A) Rent—Magistrate's Office—Summerville . .	300.00

D. Emergency Relief—Department of Public Welfare	2,500.00
D-1. Contribution to Presbyterian Home	500.00
D-2. Contribution to Negro Rest Home	500.00
E. County Agents—4-H Club Work	200.00
F. Negro Home Demonstration Agent—Salary and Travel	720.00
G. Negro Boys' 4-H Club Work	50.00
G-1. Negro Girls' 4-H Club Work	50.00
G-2. Negro Agent's Office Rent	360.00
G-3. Clerk—Half-time Negro Agent and Home Demonstration Agent	600.00
H. Supplies for Negro Home Demonstration Agent	50.00
H-1. Supplies for Home Demonstration Agent	75.00
H-2. Women's Home Demonstration Work	50.00
I. Home Demonstration Agent—Salary Supplement	240.00
I-1. County Agent—Salary Supplement	500.00
I-2. Assistant County Agent—Salary Supplement ..	300.00
I-3. Negro County Agent—Salary Supplement	300.00
J. Clerk to County and Home Demonstration Agent	960.00
K. Vocational Agriculture Program	850.00
L. Airports at Summerville and St. George (\$1,-200.00 each)	2,400.00
M. Dorchester County Breeders' Association	300.00
N. Harleyville—Ridgeville Public Libraries	100.00
O. Timrod Library and Library Association	2,250.00
P. Public Landings on rivers in County	1,800.00
Q. National Guard Companies—Maintenance @ \$1,000.00 each	2,000.00
Q-1. Auditing of County Books	1,500.00
R. Social Security—Employees	5,200.00
R-1. Premiums—S. C. Industrial Commission	3,000.00
R-2. Contributions—S. C. Retirement System	6,486.48
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Total, Item 10	\$ 48,071.48

Item 11. A. Law Enforcement—Harleyville	\$ 600.00
B. Law Enforcement—Ridgeville	600.00
C. Law Enforcement—Reevesville	300.00
	<hr/>
	1,500.00
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Total, Item 11	\$ 1,500.00
Item 12. Dorchester County Circulating Library	\$ 10,500.00
(The above amount to be expended by the Dor-	
chester County Library Board upon the written	
approval of the Dorchester County Legislative	
Delegation)	
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	10,500.00
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Total, Item 12	\$ 10,500.00
Item 13. To Dorchester Soil Conservation District	\$ 1,000.00
(To be expended upon written approval of Dor-	
chester County Legislative Delegation as fol-	
lows: \$500.00 on August 1, 1964, and \$500.00	
on January 1, 1965)	
A. Civil Defense	2,000.00
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	3,000.00
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Total, Item 13	\$ 3,000.00
Item 14. For Industrial and Development purposes—to	
be used also in conjunction with Charleston and	
Berkeley Counties	\$ 2,000.00
(To be expended on the written authorization	
of the Dorchester County Legislative Delegation)	
A. Dorchester County's portion of maintenance and	
other costs at Berkeley-Charleston-Dorchester	
Technical Training Center	4,000.00
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	6,000.00
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Total, Item 14	\$ 6,000.00

Item 15. Contingent Fund\$ 5,000.00
(The above amount is appropriated to meet unforeseen emergencies in the operation of county government and shall be expended upon the written authorization of the Legislative Delegation of Dorchester County)

5,000.00

Total, Item 15\$ 5,000.00

GRAND TOTAL\$312,197.28LESS ESTIMATED REVENUE FROM
OUTSIDE SOURCES:

Gasoline Tax\$110,000.00

Fines 22,500.00

Insurance License Fees 13,401.00

Income Tax 25,000.00

Wine and Beer Tax 5,507.00

Bank Tax 950.00

Delinquent Taxes and Costs 15,000.00

Liquor Tax 20,000.00

Service Officer 4,173.00

Miscellaneous 6,000.00

Total, Estimated Revenue\$222,531.00AMOUNT TO BE RAISED BY TAX-
ATION\$ 89,666.28

Item 16. Bonded Indebtedness:

(1) The necessary amounts are hereby appropriated to meet the payment of principal and interest maturing during the fiscal year beginning July 1, 1964, and ending June 30, 1965, on all bond issues and other indebtedness now outstanding against the County of Dorchester.

(2) The County Treasurer is hereby empowered to borrow for county purposes during the fiscal year beginning July 1, 1964, and ending June 30, 1965, to the extent of the tax levy and other income or revenue of the county, if so much be necessary, upon his note or notes, and is empowered to pledge as security for such money bor-

rowed, and interest thereon, the taxes of the year 1964, together with any other income or revenue of the county for the fiscal year 1964-1965.

(3) The County Auditor and County Treasurer are hereby required and authorized to collect three dollars per head from all persons liable for Road Work Commutation Tax.

(4) All drafts and warrants issued by the County Board of Directors upon the County Treasurer for the period beginning July 1, 1963, and ending June 30, 1964, the payment of which was authorized by the Dorchester County Delegation to the General Assembly, are hereby approved and confirmed.

(5) All fees on Tax Executions, including those of the Treasurer, beginning with executions for the year 1963, shall be paid to the County Treasury.

All Treasurer's fees on executions prior to 1963 shall be paid to the Treasurer.

SECTION 2. In case of a vacancy by death, resignation or otherwise in the office of any magistrate, constable or other officer of Dorchester County, the salary, expenses and other emoluments shall only be paid to a successor who has been recommended for appointment by the Senator and the Member of the House of Representatives of Dorchester County.

SECTION 3. Upon the written approval of the Legislative Delegation of Dorchester County, the trustees of each of the School Districts of Dorchester County are hereby authorized and empowered to borrow such sums of money as are necessary for the operating expenses of the schools for the 1964-1965 school year, and to pledge as security for the payment of any sum or sums borrowed under this authorization the taxes levied upon the school districts for general operating expenses for the school year 1964-1965.

SECTION 4. All bills presented to the County Board of Directors shall be itemized.

SECTION 5. The purchase of any materials or supplies for any county officials or agents of Dorchester County in excess of one hundred dollars must be first approved by the County Board of Directors.

SECTION 6. Appropriations for State Aid to Teachers' Salaries, and all other school district, county and State appropriations for the

operation of the public school system, shall cease and become inoperative for any school from which, and for any school to which, any pupil may transfer pursuant to, or in consequence of, an order of any court, for the time that the pupil shall attend a school other than the school to which he was assigned before the issuance of such court order.

SECTION 7. Notwithstanding any provisions of any act to the contrary, all persons sentenced to the Public Works of Dorchester County shall be subject to the sole jurisdiction of the Road Supervisor of Dorchester County and subject to his orders, care and keeping.

SECTION 8. It shall be the further duty of the Road Supervisor to see that the grounds of the Courthouse and Dorchester County Hospital shall be cleaned at least once each month.

SECTION 9. It shall be the duty of the Clerk of Court of Dorchester County to serve as Custodian of the Courthouse, Office Building, Health Center and grounds of same.

SECTION 10. This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1078, H2604)

No. 1217

An Act To Repeal Act No. 1086 Of 1962, Relating To The Selection Of State Secondary Roads In Dorchester County To Be Paved.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 1086 of 1962 repealed.—Act No. 1086 of 1962 is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1308, H2145)

No. 1218

An Act To Authorize The Governing Board Of Dorchester County To Issue General Obligation Bonds Of The County, Not To Exceed Three Hundred Thousand Dollars, For The Construction Of County Roads; To Provide That Such Roads Shall Be Constructed By The State Highway Department Pursuant To A Contract Of Reimbursement To Be Made Between The Governing Board And The State Highway Department; To Prescribe The Conditions Under Which Such Bonds Are To Be Issued And The Reimbursement Contract May Be Made; And To Provide For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Section 65-1075 of the 1962 Code provision was made for the continuance of the so-called Farm-to-Market or State Secondary Highway program for the period to end June 30, 1972, and that it was therein provided the method by which funds available for such purpose should be apportioned among the counties of the State.

Pursuant to such program, funds were made available for Farm-to-Market Roads in Dorchester County for the fiscal year ending June 30, 1963, in the amount of one hundred eighteen thousand four hundred dollars, and it is to be reasonably anticipated that during each fiscal year throughout the period to end June 30, 1972, further substantial apportionments will be made.

In Dorchester County it has been determined that an immediate need exists for further Farm-to-Market Roads, and that the Governing Board of Dorchester County (hereinafter called the "Board") should be empowered to raise not exceeding three hundred thousand dollars and to make such sum available to the State Highway Department which, in turn, should apply the same to the construction of the most-needed county roads in Dorchester County, which have been transferred to and thus become a part of the State's Secondary Highway System (Farm-to-Market Roads).

SECTION 2. Bond issue authorized—conditions.—If a suitable agreement can be reached between the Board and the State Highway Department providing that the State Highway Department shall construct Farm-to-Market Roads in Dorchester County to an extent

mutually agreed upon and divert moneys which would otherwise be expended in future years for Farm-to-Market Roads in Dorchester County, to the extent estimated to be necessary to meet the payment of the principal of the bonds herein authorized, the Board is authorized to issue general obligation bonds of Dorchester County not to exceed three hundred thousand dollars.

SECTION 3. Issue.—The bonds authorized by this act shall be issued as a single issue or from time to time as separate issues.

SECTION 4. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or installments as the Board shall provide, except that the first maturing bonds of any issue shall mature not more than two years from the date on which they shall be issued; not less than three per cent of any issue shall mature in any year; and no bond shall mature later than June 30, 1972.

SECTION 5. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the Board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call for redemption, if any, and the notice thereof that must be given.

SECTION 6. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Dorchester County, upon such conditions as the Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 7. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the Board shall provide.

SECTION 8. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the Board.

SECTION 9. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the Board shall by resolution prescribe.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Dorchester County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Dorchester County, and collected by the Treasurer of Dorchester County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in Dorchester County, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor; *provided*, that the *ad valorem* tax levy shall be reduced to the extent that there has been deposited with the county treasurer moneys derived from the apportionment herein authorized, on the occasion in each year when the *ad valorem* tax levy is to be made, and in all instances where an annual tax levy is so reduced, the moneys derived from such apportionment shall be applied to the payment of such principal and to no other purpose.

SECTION 12. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 13. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Dorchester County, and shall be deposited in a bond account fund and shall be expended and made use of by the Board as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be first applied to the expenses incident to the issuance of the bonds, and so much as remains thereafter shall be turned over to the State Highway Department and applied by it on Farm-to-Market Roads in Dorchester County.

SECTION 14. Reimbursement agreement.—The State Highway Department is hereby authorized to reimburse Dorchester County for all moneys turned over to the Highway Department by Dorchester County pursuant to Section 13(c) of this act. This reimbursement shall be made in annual installments (in amounts not exceeding the annual debt service on the bonds to be issued by Dorchester County) out of the apportionment of funds accruing to Dorchester County under the State Highway Department's Farm-to-Market Construction Program and by reason of the statute, if so much thereof shall accrue to Dorchester County. The State Highway Department shall not be obligated to the repayment to Dorchester County for any instalment due under its Reimbursement Agreement unless sufficient amounts for such instalments shall accrue to Dorchester County under the State Farm-to-Market Construction Program. The State Highway Department shall not be required to pay any interest to Dorchester County for funds turned over to the department pursuant to the provisions of this act. If, during any year hereafter, the apportionment to which Dorchester County is entitled exceeds the sum required to meet the annual instalment of principal or interest of the bonds in that year, then such excess shall be applied by the State Highway Department as if no reimbursement agreement had been entered into.

SECTION 15. Powers additional.—The powers and authorizations conferred upon the Board and the State Highway Department shall be in addition to all other powers and authorizations previously vested in them.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R926, H2363)

No. 1219

An Act To Establish A Board To Supervise The Operation Of The Reynolds Memorial Home In Edgefield County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Reynolds Memorial Home Board established.—There is hereby established the Reynolds Memorial Home Board to be composed of five members appointed by the Governor upon recom-

mendation of the Edgefield Legislative Delegation. Of the members initially appointed, two shall serve for terms of one year each, two for terms of two years each and one for a term of three years. Subsequent terms shall be for two years each. Initial terms shall commence March 15, 1964. Each member shall serve until his successor has been appointed and qualifies. Vacancies in an unexpired term shall be filled in the manner of the original appointment for the unexpired portion of the term only.

SECTION 2. Duties.—The board shall supervise the operation of the Reynolds Memorial Home in Edgefield County.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R1381, H2614)

No. 1220

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Edgefield County For The Fiscal Year Beginning July 1, 1964; To Provide For The Expenditure Thereof; And To Provide Tax Exemptions For Certain Manufacturing Establishments In Edgefield County; And To Amend Section 43-751 Of The 1962 Code, Relating To Magistrates In Edgefield County, So As To Eliminate District Four.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following appropriations are hereby made for operation of Edgefield County for the year beginning July 1, 1964, and ending June 30, 1965:

Item 1. Maintenance of chain gang, bridges, roads and buildings	\$ 37,000.00
Item 2. Clerk of Court's Office:	
(a) Clerk of Court's salary	\$ 1,716.00
(b) Deputy Clerk of Court's salary	2,640.00
Item 3. Sheriff's Department:	
(a) Sheriff's salary	\$ 4,800.00
(b) Clerical help for Sheriff	2,376.00
(c) Two Deputy Sheriffs at \$4,100.00 each	8,200.00

Provided, deputies will be required to wear uniforms and same shall be purchased out of deputies' salaries.

- (d) Maintenance and automobile expense, radio repairs and upkeep for Sheriff's Department, if so much be necessary 3,000.00
Provided, the Sheriff or Deputy Sheriffs shall serve warrants for the magistrates.
- (e) S. C. Police Officers Retirement System 960.00
- Item 4. Auditor (County's part) :
- (a) Auditor's salary\$ 1,452.00
 (b) Clerical help for Auditor 2,640.00
- Item 5. Treasurer (County's part) :
- (a) Treasurer's salary\$ 1,452.00
 (b) Clerical help for Treasurer 2,640.00
- Item 6. Supervisor's Office:
- (a) Supervisor's salary\$ 3,907.20
 (b) Clerk to Board of County Commissioners 2,640.00
 (c) Two County Commissioners at \$554.40 each .. 1,108.80
- Item 7. Attorney, salary\$ 792.00
Provided, the County Attorney shall represent the county and any of its subdivisions in all matters without additional compensation.
- Item 8. Tax Collector, salary\$ 3,168.00
 Travel expense for Tax Collector 600.00
 Clerical help to Tax Collector 660.00
- Item 9. Coroner, salary\$ 792.00
- Item 10. Judge of Probate's Office:
- (a) Judge of Probate's salary\$ 1,716.00
 (b) Clerical help for Judge of Probate 2,640.00
- Item 11. Magistrates:
- (a) Magistrate of First District\$ 2,310.00
 (b) Magistrate of Second District—Trenton 770.00
 (c) Magistrate of Third District—Johnston 1,232.00
 (d) Magistrate of Fifth District 704.00
Provided, that no magistrate in Edgefield County shall receive his salary unless and until he shall have filed a statement with the County Treasurer showing all cases handled and the disposition thereof.

Item 12. Janitors:	
(a) Janitor for Courthouse	\$ 1,320.00
(b) Janitors for Agricultural and Health Center Buildings	1,200.00
Item 13. Post mortems, inquests and lunacy	\$ 1,200.00
Item 14. Telephone and telegraph	\$ 2,200.00
Item 15. Printing, postage and stationery	\$ 2,500.00
Item 16. Burial of county poor	\$ 100.00
Item 17. Premiums on bonds for County Officers ...	\$ 1,000.00
Item 18. Water, heat, lights and fuel for county buildings, including heat for the two National Guard Armories	\$ 6,000.00
Item 19. Welfare Department:	
(a) Department of Public Welfare Board Members	\$360.00
(b) For aid to Class Four of Public Welfare State Appropriation for use in Edgefield County	500.00
(c) Department of Public Welfare for emergency purposes	300.00
Item 20. Dieting of prisoners in County Jail	\$ 2,400.00
Item 21. Boys' 4-H Club work	\$ 100.00
Item 22. Girls' 4-H Club work	\$ 100.00
Item 23. Farm Agent's Office:	
(a) Contingent Fund for Farm Agent	\$ 100.00
(b) Demonstration supplies for County Home Agent	100.00
Item 24. County Service Officer:	
(a) County Service Officer's salary	\$ 4,590.30
(b) Clerk for Service Officer	2,640.00
(c) Travel for Service Officer	600.00
Item 25. Jailer, salary	\$ 1,200.00
Item 26. National Guard:	
(a) Johnston National Guard	\$ 600.00
(b) Edgefield National Guard	600.00
Item 27. Insurance on County buildings and premiums for insurance, County employees' workmen's compensation fund	\$ 3,600.00
Item 28. Social Security on County employees (County's part)	\$ 2,400.00
Item 29. Retirement on County employees (County's part)	\$ 2,100.00

Item 30. Publishing County statements in both County newspapers	\$ 480.00
Item 31. Repairing and maintaining County machines in various County offices	\$ 300.00
Item 32. Office equipment, office supplies, box rents and miscellaneous expenses	\$ 2,000.00
Item 33. Civil Defense	\$ 3,000.00
Item 34. (a) County Health Department (County's part)	\$ 4,500.00
(b) Hospital Charity Fund	3,500.00
Item 35. Contingent Fund	\$ 10,000.00
To be expended upon written approval of the legislative delegation.	
Item 36. Auditing the county affairs, 1964-1965	\$ 500.00
Item 37. Superintendent of Education, travel expense ..	\$ 1,200.00
Item 38. Farm Agents' office:	
(a) County Agent, travel expense	\$ 720.00
(b) Home Demonstration Agent, travel expense ..	300.00
Item 39. Edgefield Dairy Breeders Association	\$ 900.00
Item 40. Forestry Board Members	\$ 50.00
Item 41. Mental Health	\$ 2,565.00
Item 42. Rural Library Service	\$ 11,958.60
Item 43. County Re-assessment Program	\$ 12,000.00
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GRAND TOTAL	\$183,700.00

SECTION 2. The board of county commissioners, subject to approval by the county legislative delegation, may divide the expenditures of such appropriations in monthly payments as nearly as practicable, and borrow money, if necessary in sufficient sums to meet the expenses of the year 1964-1965.

SECTION 3. The jailer of the county shall be appointed by the sheriff and shall serve at the pleasure of the sheriff; and shall receive one dollar per day for dieting each prisoner, to be paid out of the fund for dieting prisoners and jail.

SECTION 4. The court crier, jurors, jury boy and bailiffs shall receive seven dollars per day for each day's service in attendance upon court.

SECTION 5. In addition to the other costs and fees now allowed by law to the Probate Judge of Edgefield County for his services,

he shall be entitled to the fees allowed him by law for issuing marriage licenses.

SECTION 6. No gasoline or oil purchased by the county shall be used by any officer except the county supervisor, who shall also have the use of a county-owned and maintained automobile. The gasoline, oil and automobile are to be used exclusively for county purposes.

SECTION 7. All payments herein provided for shall be made direct to the person receiving same.

SECTION 8. No telephone shall be maintained by the county except with the written approval of the county supervisor and all long distance calls charged to county phones must be itemized and presented to the county supervisor's office before the bill will be paid.

SECTION 9. No office supplies, postage or stationery, or fuel for any county office shall be bought except through the county clerk of court who shall authorize all purchases, keeping an itemized statement of the same, for which office bought, and shall furnish a statement of items each month to the county board and shall authorize no purchase beyond the appropriation herein provided.

SECTION 10. No office equipment, furniture and fixtures shall be bought except upon the written approval of the county delegation.

SECTION 11. No property shall be rented for the use of the county, or any department thereof, except with the written permission of the county supervisor and at least one commissioner.

SECTION 12. All purchases for gang, roads, bridges, buildings and their maintenance, of any kind whatsoever, must be made by the supervisor personally, or on his written order; *provided*, that no item costing over one hundred dollars shall be bought by the supervisor without the written consent of at least one of the county commissioners. *Provided*, further, that all tires and supplies shall be bought in Edgefield County.

SECTION 13. No tractors, trucks, scrapes, or any kind of road machinery, can be purchased with county funds or sold without the written consent of the county legislative delegation.

SECTION 14. The fee that may be charged by the Clerk of Court of Edgefield County for the recording, filing, indexing or registering any mortgage or other instrument conveying an interest in, or creat-

ing a lien on crops growing or to be grown or personal property and made to any corporation organized under the Acts of Congress, known as the Farm Credit Act of 1933, if and as amended, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States or any department, agency, instrumentality or office thereof, shall be one dollar; and a copy or duplicate of such instrument shall be furnished to the recording officer. The fee that may be charged by the clerk of court for search and a certificate or priority liens on crops for each loan shall be fifty cents; *provided*, that Edgefield County is specifically excepted from the provisions of Section 27-61 of the 1962 Code.

The fee for recording a deed to real estate when the number of words does not exceed one thousand shall be one dollar and fifty cents, and when the number of words exceeds one thousand it shall be at the rate of fifteen cents per hundred words.

SECTION 15. The county legislative delegation shall have the right at any time to alter any of the salaries or appropriations herein; *provided*, the alteration shall be in the form of a letter addressed to the proper authorities and signed by both members of the delegation.

SECTION 16. The amounts provided for herein for the several purposes shall be expended for the purpose stated and none other and any unexpended balance on hand at the expiration of the period herein provided for shall revert to the general funds of the county. No county funds shall be expended for any purpose unless such expenditure is specifically authorized by the provisions of this act, or by the written authorization of the members of the Edgefield County Delegation. No additional employee shall be hired by the county without approval of the legislative delegation.

SECTION 17. In the event it should be determined by the proper authorities that the amount herein appropriated for any purpose is insufficient, then the supervisor is directed to notify the legislative delegation and the legislative delegation shall have the authority to transfer sufficient funds to take care of same, and the legislative delegation shall have the authority to transfer from the county surplus funds, or any other fund, such sum as in the opinion of the legislative delegation may be in the best interest of the county.

SECTION 18. All funds received from the State Forestry Commission shall be placed by the Treasurer of Edgefield County to the credit of the general funds of the county.

SECTION 19. Each and every claim drawn against the county and to be paid under the provisions of this act shall be marked as to what fund or account it is to be paid and charged against, and the records of the supervisor's and the superintendent of education's office shall be set up by having a separate and distinct page for each item and account contained herein.

SECTION 20. The miscellaneous account herein set up shall be spent only upon the written approval of the county legislative delegation.

SECTION 21. The allotment of office space in the courthouse to various officers and departments shall be made by the clerk of court who shall have complete charge of the courthouse.

SECTION 22. All funds not herein specifically appropriated or designated for some special purpose which may now be in the hands of the treasurer, or may hereafter come into the hands of the treasurer, shall be placed in the general funds of the county.

SECTION 23. All officers and employees of Edgefield County shall be entitled to those holidays set forth in Sections 64-151 and 64-152 of the 1962 Code. *Provided*, any employee with ten years service shall be entitled to two weeks vacation each year.

SECTION 24. All monies accruing to the county from beer, wine and whiskey licenses and taxes shall be placed to the credit of ordinary county fund.

SECTION 25. No county-owned automobile or truck shall be used for any purpose other than county business.

SECTION 26. County offices shall remain open from nine until five o'clock Monday through Friday of each week and on Saturday shall remain open from nine until twelve o'clock, except for the office of the county superintendent of education, which office shall remain open from eight to four o'clock Monday through Friday of each week and on Saturday shall remain open from eight to twelve o'clock.

SECTION 27. Any new manufacturing establishment located in Edgefield County that manufactures metal cabinets and other items,

meeting the qualifications set forth in Section 65-1552 of the 1962 Code, shall be entitled to the tax exemption provided for in that section.

PART II

Permanent Provisions

SECTION 1. It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent laws of the State of South Carolina, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the Code.

SECTION 2. Section 43-751 of the 1962 Code is amended to read as follows:

“Section 43-751. There shall be in Edgefield County four judicial districts, as follows:

(1) The first district shall embrace those parts of Wise and Pickens townships not in the second district, and that portion of Blocker Township east of the Dixie Highway and that portion of Grey township lying south of the line surveyed from Greenwood County, that portion of Pine Grove township remaining in Edgefield County and that part of Pickens township lying north of Little Turkey Creek and west of a straight line running from a point on the creek five hundred yards above the bridge, on the road between Captain J. C. Brooks' and the estate of John Harris, in a northeasterly direction to the Saluda County line, at a point fifty yards north of Calvary Church, and Collins township.

(2) The second district shall embrace Shaw township and that portion of Meriwether, Wise and Pickens townships within the following limits, to wit: East of old Stage Road from Kendrick's, by the Tillman place Mt. Vintage to Mays and then turn to the right, leaving the old Stage Road and go to the Gary Place, crossing the old Plank Road between Walter Miller's and Barr place; thence around by the rock quarry to intersect the Weaver Road at T. C. Smith's; thence to J. DeLoache's; thence leaving the Weaver Road, taking the road by Harmony Church; thence taking the public road by the residence of Walter Smith to Bauknight's; thence along the public road by the residence of Cole Berry, across Tiger Creek to Lucius Dabney's; thence to B. T. Boatwright's residence; thence by the public road to Neal's Gin; thence taking the Timmerman Road to the Aiken line.

(3) The third district shall embrace those portions of Johnston, Mobley and Ward townships remaining in Edgefield County.

(4) The fifth district shall embrace Talbert, Moss and that portion of Blocker township west of the Dixie Highway."

SECTION 3. Part II of this act shall take effect June 30, 1964.

End of Part II

SECTION 28. This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R786, S592)

No. 1221

An Act Extending The Open Season For The Hunting Of Quail And Rabbits In Fairfield County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Hunting season for quail and rabbits in Fairfield County.—The open season for the hunting of quail and rabbits in Fairfield County is extended to March first for the year 1964 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R788, H2149)

No. 1222

An Act Providing For A Referendum In Fairfield County To Determine The Wishes Of The People Concerning A Two-Mill Tax Increase For The Purpose Of Air Conditioning And Adding Facilities For Twenty-Two Beds In The Fairfield Memorial Hospital, And Providing For The Tax Levy If The Vote Is Favorable.

Whereas, The Fairfield Memorial Hospital Board has unanimously requested the Fairfield Legislative Delegation to provide the necessary legislation to increase the tax millage in the county by two mills

for purposes of air conditioning and adding facilities for twenty-two beds in the Fairfield Memorial Hospital. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Referendum concerning Fairfield Memorial Hospital.—There shall be submitted to the qualified electors of Fairfield County in the general election to be held in 1964 a ballot to be prepared and distributed by the governing body of the county upon which shall be printed :

“Do you favor a two-mill tax increase for the purpose of air conditioning the hospital and adding facilities for twenty-two beds in the Fairfield Memorial Hospital?

Yes ☐

No ☐”

The ballots may contain such instructions as the governing board deems necessary.

The ballots shall be counted and canvassed as are other ballots in this election. The commissioners of election shall certify the result to the auditor and treasurer of the county.

SECTION 2. Tax levy if referendum favorable.—Should a majority of those voting in this election vote in favor of the tax increase, the auditor and treasurer of the county shall respectively levy and collect the additional two mills as other taxes are levied and collected. The revenue from this levy shall be deposited to the Fairfield Memorial Hospital Fund.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

An Act To Authorize The Fairfield County Agricultural Board To Borrow A Sum Of Money For General Board Purposes And To Provide For Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Fairfield County Agricultural Board may borrow money.—The Fairfield County Agricultural Board may borrow for

general board purposes a sum, not exceeding seven thousand seven hundred dollars, from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note to be executed by the chairman of the board. The note shall bear interest at a rate agreed upon by the parties and shall be payable in five successive, equal, annual installments. *Provided*, that the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note, the Auditor of Fairfield County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R1042, H2562)

No. 1224

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes And For Support Of The County Stockade For Fairfield County For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965, And For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of twelve mills, if so much be necessary, is levied upon all the taxable property in Fairfield County for the fiscal

year beginning July 1, 1964, and ending June 30, 1965, which, together with the other county income, shall be used to pay the expenses of operating the county as provided herein. All county property must be marked as property of Fairfield County.

SECTION 1-A. The auditor is directed to levy, and the treasurer to collect, a tax of one mill on all taxable property in Fairfield County to be credited to the Fairfield Memorial Hospital operating fund. This is to be in addition to the levy that might be directed by the Hospital Board.

Item 1. Roads and Bridges\$ 70,000.00

Provided, that all goods and supplies purchased by the board of county commissioners for the county must not be bought other than by competitive bids and, further, that all equipment and supplies exceeding \$400.00 shall be advertised in the newspaper published in the county.

Provided, however, in cases of emergency where repair parts are necessary to restore county-owned motor vehicles and road machinery to operation, such parts may be purchased by the board of county commissioners or the supervisor without first obtaining such bid or bids.

Provided, further, that no road machinery or equipment shall be purchased or disposed of without the written consent of the legislative delegation. *Provided*, further, that under the direction of the Board of County Commissioners of Fairfield County, the county supervisor shall devote his entire time to the construction, maintenance and repairs of the roads and bridges of the county.

Provided, further, that all county road machinery and county trucks and motor vehicles shall be plainly marked with letters of substantial size on both sides of the vehicles as follows: "Property of Fairfield County."

Provided, further, that no more than one-half of the above amount may be expended or obligated to be spent prior to January 1, 1965.

Item 2. Salaries:

Clerk of Court	\$ 2,175.00
For use by clerk of court in keeping court-house yards and grounds	50.00
The clerk of court shall be the custodian of the yards and grounds of the courthouse and is charged with the duty of keeping same properly planted and landscaped. He may call upon the supervisor for labor and assistance in this work when deemed necessary.	
Clerk hire for Court	672.00
Sheriff	5,410.00
<i>Provided</i> , that the sheriff shall be the custodian of gas, oil, tires and equipment purchased by the county, including automobiles which shall be purchased for use of sheriff's office and rural police. The jailer shall be the dispenser of the supplies and shall keep records of the supplies and materials dispensed, so as to indicate mileage, dates and amounts, and the jailer shall perform these duties under the direction of the sheriff.	
Jailers	4,704.00
<i>Provided</i> , the sheriff shall designate the number of jailers, their hours and compensation.	
Uniforms for Jailer (1/12 monthly)	300.00
<i>Provided</i> , that the insignia of the office shall be affixed upon such uniforms.	
<i>Provided</i> , further, that the Jailer shall be a competent, able-bodied person and fully capable of performing the duties of his office.	
<i>Provided</i> , further, that the Jailer shall furnish the usual surety bond required of other county police officers.	
<i>Provided</i> , further, that the Jailer shall be a person qualified to operate the station radio and keep adequate and proper records concerning operation of radio and the dispensing of supplies and materials to county officers' vehicles.	
Clerk to Sheriff	2,940.00

Provided, that the clerk shall operate the base radio in conjunction with the Jailer during office hours, in addition to his other duties.

The County Board of Commissioners, for operation of the tax collector's office and for the payment of salaries, current expenses and such stenographic or clerical hire as the commission may deem necessary, with the clerk to receive not less than \$47.00 per week

6,000.00

Travel for Tax Collector

800.00

Deputy to Clerk of Court

3,116.00

Clerk to Clerk of Court

2,205.00

Clerk to Judge of Probate

1,260.00

Deputy Sheriffs, 4 @ \$4,350.00 each

17,400.00

Provided, that one of the deputies shall be stationed at and shall have his primary duties at the Winnsboro Mill Village community, and such deputy shall be assigned a county-owned police car.

Rural Police, 2 @ \$4,350.00 each

8,700.00

Uniforms for Deputies and Rural Police, to be purchased by Rural Police Commission, not to exceed

1,200.00

Auditor—to receive a portion of his salary from State Funds

1,500.00

Travel for Auditor

250.00

Auditor—Clerk Hire

3,116.00

Provided, clerk to auditor shall be full time.

Treasurer—to receive a portion of his salary from State Funds

1,500.00

Travel for Treasurer

250.00

Clerk to Treasurer

2,444.00

Attorney

650.00

Coroner

1,300.00

Travel for Coroner

150.00

Supervisor

3,822.00

Clerk—Board of County Commissioners

3,530.00

Clerical Assistance to Clerk of County Board

630.00

Commissioners

300.00

Travel expenses for Clerk of Board of County

Clerk for additional work with Retirement Records, Social Security and Hospitalization Insurance	780.00
Stenographer to County Agent	590.00
Stenographer to Home Demonstration Agent	85.00
Judge of Probate	2,470.00
Secretary to Delegation	630.00
County Forest Ranger—Fire Protection—three months' salary for Tractor operator	552.24
Travel for Forest Wardens and Tractor operator	2,100.00
<i>Provided</i> , that each will receive \$35.00 per month for travel.	
Item 3. Expenses of County Officers:	
Supervisor's car and travel expense	\$ 1,350.00
The School Lunch Supervisor and Attendance Teachers shall be under the supervision and control of the Board of Education.	
County Board of Commissioners	2,965.00
Travel for Board of Commissioners—\$5.00 per month	300.00
<i>Provided</i> , that the Chairman of the Board of Commissioners shall receive seven hundred and five dollars per year, and each commissioner five hundred and sixty-five dollars per year.	
Item 4. Insurance Fund	\$ 4,000.00
The above amount shall be appropriated from the General Fund of Fairfield County and transferred to an account designated as "Insurance Fund" to be held by the county treasurer. The county treasurer is directed to maintain this fund in a separate account and add to it at the end of each fiscal year any unexpended balance under this item remaining at that time. The county treasurer, upon the approval of the county attorney, is authorized to invest this fund in securities which are approved under the law of this State for investment of trust funds or funds held by fiduciaries. This fund shall be held to satisfy legal claims against Fair-	

field County arising out of or through liability incurred by Fairfield County resulting from the operation of Fairfield County-controlled motor vehicles. The Fairfield County Board of Commissioners is hereby authorized to pay all liability claims incurred by Fairfield County, when approved first by the county attorney, or to satisfy a judgment rendered by a court of competent jurisdiction against Fairfield County arising out of the operation of Fairfield County-owned motor vehicles. A full accident report shall be made immediately to the county attorney and the County Board of Commissioners by the head of every department or county official whenever any motor vehicle under county control, operated by his department, shall be involved in an accident involving any personal injury or damage to property.

Provided, that the treasurer shall be and is authorized to borrow from this fund to meet general county expenses pending the collection of taxes, and after the collection of taxes, if such money is needed.

Item 5. County Health Unit\$ 5,800.00

Provided, that \$500.00 of this amount shall be used for the purpose of treating arrested T. B. patients.

Provided, further, that two nurses and the Sanitarian will receive \$90.00 per month for travel from the above appropriation.

Item 6. Magistrates\$ 7,755.00
Eight Constables for Magistrates—\$200.00 each 1,600.00
Extra Constables for work with sheriff's office at his request 1,000.00

Item 7. County Boards:
Board of Equalization\$ 700.00

Item 8. Jail Expenses\$ 4,000.00

Item 9. Jurors and Witnesses and Court Expenses\$ 4,500.00
Court Crier shall receive \$7.00 per day.

- Item 10. Post Mortems, Inquests and Lunacies\$ 700.00
Provided, that inquests shall be held upon a written request of three reputable citizens and the request shall be filed with the coroner, or if in the judgment of the coroner an inquest is justified or needed.
Provided, that coroner's jurors shall receive \$1.00 per day.
- Item 11. Public Buildings, including water, fuel, lights and insurance\$ 13,800.00
 Workmen's Compensation premium shall be paid from this appropriation.
Provided, that up to \$300.00 of this amount shall be used by the Clerk of Court to purchase the necessary equipment and supplies for the maintenance of the courthouse.
- Item 12. Printing, Postage and Stationery\$ 3,000.00
Provided, printing, postage and stationery for the Board of Education and school use shall be paid for by the Board of Education out of the board's funds.
- Item 13. Farm and Home Demonstration\$ 500.00
 Clerical Help, Colored Agent 600.00
 County 4-H Club Work 200.00
 County Farm Demonstration and 4-H Club Work (colored) 300.00
- Item 14. Home Demonstration Work (colored)\$ 500.00
- Item 15. Janitor for Courthouse\$ 1,050.00
 The janitor shall be hired by and shall be under the supervision and control of the Clerk of Court (caretaker of the courthouse).
- Item 16. Janitor for County Library\$ 350.00
- Item 17. Future Farmers of America, Livestock Show ..\$ 350.00
- Item 18. Armory Maintenance\$ 800.00
- Item 19. For supplies and maintenance of county-owned vehicles used in law enforcement\$ 5,000.00
Provided, the above sum shall be paid upon approval of the sheriff. The County Rural Police Commission shall secure bids by public notice

and shall be responsible for purchasing such supplies and equipment.

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|------------|--|-------------|
| Item 20. | Board of Public Welfare | \$ 1,000.00 |
| | <i>Provided</i> , that this sum shall be paid to the Director of the Board of Public Welfare for use in extreme emergencies, and for indigent cases involving out-of-county hospitalization and medicines and paupers' burial. | |
| Item 20-A. | The County Board of Public Welfare is hereby authorized and directed to expend the following appropriation for supplemental salaries for the director and employees of the Welfare Department | \$ 2,690.00 |
| Item 20-B. | Members of the Board of Public Welfare for Fairfield County shall receive \$16.66 per meeting, to be divided equally among those board members present | \$ 200.00 |
| Item 21. | Rural Police Commission | \$ 75.00 |
| | <i>Provided</i> , that each commissioner who shall attend a regular meeting of the commission, or a special meeting of the commission, shall receive \$5.00 for such attendance. The appropriation set forth above shall be solely for the \$5.00 attendance and paid only to those members in attendance at such meeting. | |
| Item 22. | Magistrate jurors (\$1.00 per day) | \$ 200.00 |
| Item 23. | Fairfield Chamber of Commerce | \$ 1,500.00 |
| | <i>Provided</i> , the sum herein appropriated shall be used for advertising of Fairfield County and the solicitation of industry to locate in Fairfield County, and for research, planning and development of the county. | |
| Item 24. | Service Officer's Office: | |
| | \$4,173.00 of the appropriation hereinbelow provided for shall be paid by the State and the remainder from County funds. | |
| | Service Officer—Salary | 3,330.00 |
| | Mileage | 1,000.00 |
| | Clerk to Service Officer | 2,265.00 |
| | Total for Office | \$ 6,595.00 |

The expenses of this office, other than travel and salaries, shall be paid out of Item 11.

	Appropriation from County Funds for above ..	2,422.00
Item 25.	Hospitalization Insurance—County employees ..	\$ 4,000.00
Item 26.	County Agent, Salary Supplement	\$ 180.00
	Assistant County Agent, Salary Supplement ..	180.00
Item 27.	For costs and investigations to encourage new industry for the county, to be expended upon the approval of the entire delegation	\$ 1,000.00
Item 28.	Civil Defense Office :	
	\$2,264.00 of the appropriation hereinbelow provided shall be paid by the State and the remainder from County Funds.	
	Civil Defense Officer—Salary	\$ 3,528.00
	Secretarial help and office supplies	1,000.00
	Total	\$ 4,528.00
	Appropriation from County Funds for above ...	\$ 2,264.00
Item 29.	Fairfield County Recreation Association	\$ 3,000.00
	<i>Provided</i> , the amount appropriated in this item is to be expended only after a monthly budget is submitted by the Recreation Association and approved by a majority of the Legislative Delegation.	
	GRAND TOTAL	\$236,742.54

SECTION 1-B. A tax of two mills is levied upon all the taxable property in the County of Fairfield for the fiscal year beginning July 1, 1964, and ending June 30, 1965, to be collected and paid over to the Fairfield County Board of Education to be applied to the retirement of bonded debt. It is further provided that an additional three mills is levied upon all the taxable property for the operation of schools for the fiscal year beginning July 1, 1964 and ending June 30, 1965.

SECTION 2. So much of the amount hereinabove appropriated for the County Health Unit under Item 5 shall be expended as may be necessary to meet the requirements established under the State Appropriations Act for Health Department work. This fund shall be expended under the following provisions: *Provided*, that the physician to be employed shall be a graduate of a regular medical college and

skilled in hygiene and sanitary science, the physician shall be designated County Health Officer, and shall perform all such duties as may be imposed upon him by the sanitary laws of the State and shall discharge all the duties of County Physician; and that a trained public nurse shall be employed who shall devote her whole time to public works in Fairfield County, and such other workers as may be found necessary and desirable to properly carry out a public health program; *provided*, however, that as far as possible a medical inspection of all school children in Fairfield County shall be made by the physician in charge and that all trustees and principles shall give every assistance in carrying out this program; *provided*, further, that this appropriation is contingent upon the full compliance with this section.

SECTION 3. The salaries of the magistrates in the various districts for the fiscal year beginning July 1, 1964, and ending June 30, 1965, are hereby fixed as follows:

Magistrates at Winnsboro and Winnsboro Mills, fourteen hundred ten and eleven hundred seventy-five dollars, respectively, per year;

Magistrates at Ridgeway, Mitford, Jenkinsville and Greenbrier, nine hundred forty dollars;

Magistrates at Feasterville and Jackson Creek, seven hundred five dollars each.

SECTION 4. All warrants drawn on county funds shall specify on what fund they are drawn, and no warrant shall be drawn on any fund other than specified in this act.

SECTION 5. The Sheriff of Fairfield County shall receive not exceeding one dollar and twenty cents each day for dieting prisoners. The sheriff shall be allowed a turnkey fee of fifty cents per prisoner actually committed to and confined within the jail.

Provided, that in the case of all temporary prisoners committed by the Town of Winnsboro, the turnkey fee shall be paid by the town.

SECTION 6. All funds now in the hands of the treasurer and all funds that may come into his hands during the year 1964-1965, and monies in the hands of the treasurer received by the collection of tax executions during the year 1964-1965 are hereby transferred and made a part of the contingent fund. All funds of the county on hand July 1, 1964, by reason of unexpended balance of appropriations for the period ending June 30, 1964, are likewise made a part of the contingent fund. No part of the contingent fund shall be spent except on

an order or orders signed by the Senator and the other member of the Legislative Delegation of Fairfield County. Approval of such appropriations shall be made only at a meeting of the entire legislative delegation. *Provided*, however, in the event there is an absence of either the Senator or the House member, then the other member of the delegation is authorized to approve such appropriation. At least one such meeting shall be held during each calendar month.

SECTION 7. The county board of commissioners is hereby directed to assume the office of Budget Officer for Fairfield County as part of their duties as county commissioners, and they are hereby authorized to reduce the appropriations for the various items in this act whenever they see that the revenue will not be available to meet the required appropriations.

SECTION 8. The sum of five hundred dollars shall be placed to the credit of the Farm Demonstration Agent, to be used by him for prizes for the boys' and girls' clubs, and to be divided between such annually. He is directed to file at the end of the year with the county board of commissioners a statement showing how such funds are expended. The appropriation hereinbefore provided for prizes for the Future Farmers of America Livestock Show shall be withdrawn only on proper request submitted to and approved by the County Farm Demonstration Agent, who shall file at the end of each year with the county board of commissioners an itemized statement showing how such funds were expended.

SECTION 9. In the event the clerk of court or judge of probate should have, in their official capacity, any funds which have been unclaimed for as long as seven years, they are hereby authorized to pay the same over to the county treasurer, taking his receipt for the same. The county treasurer shall deposit any amount so received as a part of the fund for ordinary county purposes.

SECTION 10. The county board of commissioners shall fix the salary of the superintendent of the county chain gang, to be paid out of the appropriation for Item 1, and all chain gang employees likewise shall have their salaries set by the board.

SECTION 11. All orders or warrants upon the county treasurer in the payment of approved claims shall be signed by the chairman of the board of county commissioners, attested by the clerk of the board.

SECTION 12. There is hereby levied a tax of one mill upon all of the taxable property in the county, the proceeds of which are to be used for the operation and maintenance of the Fairfield County Library. The auditor of the county is directed to levy, and the treasurer to collect, such tax, in like manner as other taxes are collected.

SECTION 13. The county board of commissioners, out of the appropriations for public buildings and insurance, shall draw a warrant in favor of the caretaker of the courthouse for twenty dollars, the sum to be used by him as a petty cash fund to buy minor supplies, the fund to be accounted for by him to the county board.

SECTION 14. The treasurer is hereby authorized and directed to place all taxes which were collected for purposes set forth in Section 15 of the 1952 Fairfield County Appropriations Act into the general fund, and is further directed to place any such taxes which might hereinafter be collected for the funds, which taxes are now all delinquent, into the general fund upon their collection.

SECTION 15. The county, or any subdivision thereof, or any person purchasing on behalf of the county, shall not buy any item over one hundred dollars without first receiving competitive bids and, in the event the item shall cost more than four hundred dollars, request for bids shall be advertised in the newspaper published in the county; *provided*, however, that if the item to be purchased is the only one of its kind and there are no competitive sellers or manufacturers, then advertisement shall not be necessary.

SECTION 16. Before any carnival, road show or circus shall be allowed to operate or set up for operation in the County of Fairfield, they shall pay a license fee to the Clerk of Court for Fairfield County in the amount of one hundred twenty-five dollars a week, or on a daily basis the sum of twenty-five dollars. *Provided*, however, that such must be sponsored by a recognized civic organization. In the absence of such payment, the carnival, road show or circus shall not be allowed to set up in the county. *Provided*, further, that no carnival, road show or circus shall be allowed to operate that is accompanied by fortunetellers, or any games of chance. The clerk shall turn over the license fee so collected to the treasurer, who shall credit same to the general fund.

SECTION 17. The treasurer is hereby authorized and directed to pay from the general fund of the county to any insurance company

selected by the county board of commissioners, and approved by the county attorney, for the purpose of hospitalization and life insurance policies for county employees, not to exceed the amount appropriated in Item 25.

SECTION 18. The hawkers' and peddlers' license for nonresidents, as required by law, to do business in Fairfield County shall be as follows:

Those selling, or offering for sale, furniture . . . \$	200.00
Those selling dry goods	150.00
Those selling jewelry and novelties	100.00
Those picking up laundry	25.00; and
Those picking up dry cleaning	25.00

provided, that if this service is not available by or through a local laundry or dry cleaning establishment, this license shall not be required. Neither shall the license be required where laundry and dry cleaning are left with a resident storekeeper or agent to be picked up.

All other licenses shall be \$25.00, except ice delivery.

Provided, that licenses shall be from July first of a year to July first of the following year. The licenses now in effect shall be effective until they expire, at which time the clerk shall charge a pro rata license fee until the following July first if renewal is applied for. The clerk shall issue new applications until the following July first on a pro rata cost basis, and all renewals of licenses shall be from July first after the initial application is made.

Provided, further, that the penalty for violation of this section shall be as prescribed by general law of this State relating to hawkers and peddlers.

The fees required herein shall be paid to the Clerk of Court of Fairfield County and shall be turned over to the Treasurer of Fairfield County for deposit to the general fund of the county.

SECTION 19. *Provided*, that if the revenue forthcoming from all sources to the County of Fairfield be inadequate to finance the obligations of the county, then, upon approval of the delegation, the Treasurer of Fairfield County shall be empowered to borrow up to forty thousand dollars, to be repaid within five years upon such terms and at such rate as may be best obtained.

SECTION 20. The County Sanitation Officer and the Manager of the Town of Winnsboro may employ a person for the purpose of catching and impounding stray or uninoculated dogs. For the pur-

pose of the enforcement of laws pertaining to such dogs only, the person so employed shall have the authority of a deputy sheriff.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1964.

(R937, H2406)

No. 1225

An Act To Extend The Season For The Hunting Of Quail In Florence County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Quail season for Florence County.—The open season for the hunting of quail in Florence County is extended to March 15, 1964.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R945, S703)

No. 1226

An Act To Extend The Season For The Hunting Of Quail In Florence County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Quail season for Florence County.—The open season for the hunting of quail in Florence County is extended to March 15, 1964.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R1152, H2607)

No. 1227

An Act To Amend Act No. 1007 Of 1960, As Amended, Relating To The Lynches Lake-Camp Branch Watershed Conservation District In Florence County, So As To Further Provide For The Election Of The Board Of Trustees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (d), Section 8 of Act 1007 of 1960 amended—terms of directors.—Item (d) of Section 8 of Act No. 1007 of 1960, as amended, is further amended by adding a sentence at the end thereof to read as follows: "All successors shall be elected in the same manner as prescribed by this section." The item when amended shall read as follows:

"(d) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be four years. All successors shall be elected in the same manner as prescribed by this section."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1189, H2695)

No. 1228

An Act To Authorize The Board Of Trustees Of Florence County School District No. 1 To Convey Certain Property To The American Legion Fred H. Sexton Post No. 1.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Florence County School District 1 may convey certain property.—The Board of Trustees of Florence County School District No. 1 is hereby authorized to convey for the consideration of the sum of five dollars to the American Legion Fred H. Sexton Post No. 1, subject to such limitations, reservations, conditions and right of reversion as the trustees might deem to be in the best interest of

the school district, all its title and interest in the American Legion stadium property on Oakland Avenue in the City of Florence.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1206, H2157)

No. 1229

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution Of This State Limiting The Bonded Indebtedness Of Political Subdivisions, So As To Permit School District No. 2 In Florence County To Incur Bonded Indebtedness For School Purposes In An Amount Not Exceeding Eighteen Per Cent Of The Assessed Value Of All Taxable Property Within The District And To Exclude Such Indebtedness From The Limitation Of Aggregate Indebtedness Upon Any Territory In The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Florence County School District 2.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: Add at the end of the section the following proviso: "*Provided*, that School District No. 2 in Florence County may incur bonded indebtedness for school purposes in an amount not exceeding eighteen per cent of the assessed value of all taxable property in the district, and such indebtedness shall not be considered in determining the aggregate debt limitation imposed by this section."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State be amended so as to permit School District No. 2 in Florence County to incur bonded indebtedness for school purposes in an amount not exceeding eighteen per cent of the assessed value of all taxable property within

the district and to exclude such indebtedness from the limitation of aggregate indebtedness upon any territory in the county?

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment', and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

Ratified the 17th day of April, 1964.

(R1301, H2345)

No. 1230

An Act To Appropriate The Sum Of Ninety-Four Thousand Four Hundred Seventeen Dollars To Be Used For School Purposes In Florence County For The Fiscal Year 1964-1965; To Provide For A Tax Levy To Raise Such Sum; To Authorize The County Board Of Education To Borrow Money In Anticipation Of This Tax Levy; To Require School Trustees To Prepare A Budget Of School Expenses; To Prohibit Expenditures In Excess Of Such Budgets, And To Make Appropriations For The Florence County Library.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The sum of ninety-four thousand four hundred seventeen dollars is hereby appropriated for educational purposes for Florence County for the fiscal year 1964-1965, and a tax of three and one-half mills to raise the sum is hereby levied upon all taxable property of Florence County, which sum shall be expended for the following purposes:

Item	I. Textbooks	\$ 41,614.00
Item	II. Circulating Library	5,200.00
Item	III. Supplies	500.00
Item	IV. County Board Expense	1,500.00
Item	V. County Superintendent's Office	5,700.00
Item	VI. County Superintendent	3,750.00
Item	VII. Caterers	11,160.00
Item	VIII. Hot Lunches—Needy Cases	3,500.00

Item IX. Florence Co. Library (Consolidated) 21,493.00
Provided, that so much of the above amount as is necessary shall be expended for the establishment and maintenance of a Florence County Library System as provided by law.

Total\$ 94,417.00

SECTION 2. In order to carry out the purposes of this act and for the operation of schools in Florence County, the board of education is authorized to borrow such sum of money as may be necessary, the amount not to exceed fifty per cent of the taxes pledged for the payment thereof, and shall have the power to pledge any part or all of the school taxes levied in Florence County as security therefor. In the event it becomes necessary to borrow money for these purposes, the county board shall award the loan or loans to the lowest bona fide bidder, after first advertising for bids by notice published in one or more newspapers having circulation in Florence County for at least ten days prior to awarding such bids, and after giving written notice to all banks in Florence County of the terms and conditions under which bids shall be received. The proceeds of any loan obtained shall be deposited with the successful bidder; *provided*, the successful bidder shall be an incorporated bank within the County of Florence and shall provide the county treasurer collateral for same as provided in the county appropriations act.

SECTION 3. The boards of trustees of the various school districts in Florence County shall, on or before the first day of June each year, prepare a budget showing in detail the items of proposed expenditures for the schools in their respective districts for the next ensuing year and file the same with the board of education for the county for its examination and approval. No budget shall be approved by the county board of education in excess of the revenues provided for the operation of the schools in any such school district, and no claim against any district shall be approved for payment by the county superintendent of education in excess of funds on the approved budget. The county board of education has the authority to spend for the benefit of the schools any unallocated funds or any accumulation of funds under any item of Section 1 of this act.

SECTION 4. This act is intended to be in addition to, and not in conflict with, any of the provisions of the annual county appropriations act of Florence County for the fiscal year 1964-1965.

SECTION 5. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1306, H2538)

No. 1231

An Act To Make Appropriations For Ordinary County Purposes For Florence County For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965; To Provide For The Expenditure Thereof; To Levy A Tax For The Payment Thereof; And To Validate Certain Actions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following sums of money are hereby appropriated for the purposes herein set forth for Florence County for the period beginning July 1, 1964, and ending June 30, 1965, inclusive, and the Auditor of Florence County is hereby authorized to levy, and the Treasurer to collect, for the calendar year 1964 upon all the taxable property in the county a tax of sixteen and one-half mills to defray the same:

Item 1. Roads, Bridges and Chain Gang:

- | | |
|--|--------------|
| (a) Gasoline, fuel, fuel oil, oil and grease | \$ 30,000.00 |
| (b) Labor | 78,795.00 |
| (c) Food and Clothing | 60,000.00 |
| (d) Supplies, lumber, hardware, repairs, electricity, telephone and incidentals | 40,000.00 |
| (e) Hospitalization, drugs, medicines, special medical treatment and veterinarian | 3,600.00 |
| (f) County Physician | 2,400.00 |
| <i>Provided</i> , the county physician shall be one of the examining physicians in all lunacy examinations conducted in Florence County. | |
| (g) Custodian of the records of the county chain gang, to be assigned such other duties as the county manager may desire performed | 2,640.00 |

Provided, that all payments from items (a) through (g), inclusive, shall be made by voucher and not by cash.

(h) Repairs to equipment	70,000.00
(i) Pipe for bridges	25,000.00
(j) New Equipment	30,000.00
(k) Cold patch materials	3,000.00

Total, Item 1	\$345,435.00
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Item 2. Governing Board:

(a) Chairman, Governing Board	\$ 2,400.00
(b) Six members, Governing Board	12,000.00

Provided, that the commissioners are authorized and requested to assist the county manager in maintaining the county roads and in constructing and in paving farm-to-market roads in their respective districts.

(c) Expenses and mileage, Governing Board, seven members @ \$75.00 per month	6,300.00
(d) Clerk to Board	3,600.00
(e) Assistant Clerk to Board	3,400.00
(f) County Manager	7,700.00
(g) County Attorney	2,200.00
(h) Courthouse—heat, lights, etc.	10,000.00
(i) Courthouse Janitor	2,880.00
(j) Printing and Postage	7,200.00
(k) Premium on Bonds	1,000.00

Provided, that each magistrate, constable and deputy sheriff shall give a surety bond in the penal sum of not less than one thousand dollars, such undertakings to be approved by the governing board of the county, and the cost of the bonds to be borne by the above item of one thousand dollars.

(1) Miscellaneous Funds	6,800.00
<i>Provided</i> , that \$800.00 of the foregoing sum shall be allocated to county manager's expenses.	
(m) Secretary for Legislative Delegation	1,650.00
(n) Social Security—Administration	14,500.00
(o) S. C. Retirement System	30,000.00

(p)	Office expense, Florence Magistrate	600.00
(q)	Delegation office expense	600.00
		<hr/>
	Total, Item 2	\$112,830.00
Item 3. Sheriff's Office:		
(a)	Sheriff, salary	\$ 7,700.00
	<i>Provided</i> , that the deputies serving any civil process shall receive mileage fees paid therefor by parties securing service.	
(b)	Radio Equipment and maintenance, Sheriff's Office	1,850.00
(c)	Nine deputy sheriffs @ \$275.00 each per month	29,700.00
(d)	Travel expense, nine deputies @ \$200.00 per month	21,600.00
(e)	Part-time deputy—salary	1,695.80
	Part-time deputy—travel	600.00
(f)	Fingerprint Deputy	2,280.00
	<i>Provided</i> , he shall be under the control of the Sheriff of Florence County and the Chief of Police for the City of Florence.	
(g)	Clerk to Sheriff	3,000.00
(h)	Office expense for Sheriff	1,500.00
	<i>Provided</i> , that so much of the foregoing as is necessary shall be used for procuring information in criminal prosecutions.	
(i)	Radio Repairman	1,050.00
		<hr/>
	Total, Item 3	\$ 70,975.80
Item 4. Treasurer's Office:		
(a)	Treasurer, salary	\$ 3,630.00
	<i>Provided</i> , that in addition thereto the treasurer shall be entitled to fifty per cent of all monies received on account of tax executions.	
(b)	Treasurer's Clerks (2)	6,540.00
(c)	Expenses, mailing tax notices	4,500.00
(d)	Principal—Road Bonds	110,000.00
	<i>Provided</i> , that the same shall be paid from funds to be received by the county treasurer by reason of a reimbursement agreement between the county and the S. C. Highway Department.	

Interest—Road Bonds 32,154.70
Provided, that \$10,002.50 shall be made available
 for disbursement on June 1, 1964.

(e) Principal and interest—Florence-Darlington
 Technical Education Committee obligation .. 54,000.00

Total, Item 4\$210,824.70

Item 5. Magistrates:

Magistrate—Florence\$ 4,290.00
 Clerk to Magistrate—Florence 3,000.00
 Magistrate—Timmons ville 2,750.00
 Clerk to Magistrate—Timmons ville 1,200.00
 Magistrate—Lake City 2,750.00
 Clerk to Magistrate—Lake City 2,002.00
 Magistrate—Pee Dee and Hannah 1,342.00
 Magistrate—Evergreen 1,980.00
 Magistrate—Olanta 2,750.00
 Clerk to Magistrate—Olanta 1,200.00
 Magistrate—Johnsonville 1,980.00
 Magistrate—Pamplico 1,980.00
 Magistrate—Coward 1,650.00

Total, Item 5\$ 28,874.00

Item 6. Constables:

Two Constables—Florence\$ 6,600.00
 Constable—Timmons ville 2,750.00
 Constable—Pamplico 1,980.00
 Constable—Olanta 2,750.00
 Constable—Lake City 2,750.00
 Constable—Evergreen 1,980.00
 Constable—Johnsonville 1,980.00
 Constable—Pee Dee and Hannah 1,342.00
 Constable—Coward 1,650.00

Total, Item 6\$ 23,782.00

Item 7. Coroner's Office:

(a) Coroner, salary\$ 2,400.00
 (b) Stenographic assistance, travel expense for
 Coroner 1,980.00

(c) Coroner's expense for performance of autopsies only		1,000.00
Total, Item 7		\$ 5,380.00
Item 8. Judge of Probate's Office:		
(a) Judge of Probate—Lunacy examinations and Juvenile cases		\$ 1,800.00
(b) Clerk to Judge of Probate		3,346.50
(c) Juvenile Court Case Worker		2,841.00
Total, Item 8		\$ 7,987.50
Item 9. Auditor's Office:		
(a) Auditor, salary		\$ 3,630.00
(b) Auditor, travel		300.00
(c) Assistant Auditor		3,600.00
(d) Chief Clerk		3,300.00
(e) Clerk		2,800.00
(f) Extra clerical help		2,600.00
Total, Item 9		\$ 16,230.00
Item 10. Tax Assessor's Office:		
(a) Tax Assessor, salary		\$ 6,000.00
(b) Clerk		2,800.00
(c) Assessor, travel		1,200.00
(d) Board of Assessment Control, per diem @ \$10.00 per day		840.00
(e) Board of Assessment Appeals, per diem @ \$10.00 per day		600.00
Total, Item 10		\$ 11,440.00
Item 11. County Jail:		
(a) County Jailer		\$ 3,130.00
(b) Assistant County Jailer		3,267.00
(c) Jail—dieting prisoners		10,000.00
Total Item 11		\$ 16,397.00
Item 12. County Agent's Office:		
(a) County Agent, salary supplement		\$ 1,200.00
(b) Assistant County Agents—three @ \$360.00, salary supplement		1,080.00

(c) County Agent—for promotion of Pee Dee Farmarama	500.00
(d) Home Demonstration Agent, salary supplement	350.00
(e) Home Demonstration Agent, telephone	175.00
(f) Home Demonstration Agent, supplies	250.00
(g) Assistant Home Demonstration Agent, salary	2,640.00
(h) 4-H Club Work	200.00
(i) J. H. A. (Junior Homemakers)	200.00
(j) Negro Agricultural Agent, salary supplement	462.00
(k) Assistant Negro Agricultural Agent, salary supplement	360.00
(l) Negro Agricultural Agent, demonstrational materials	50.00
(m) Negro Home Demonstration Agent, salary supplement	792.00
(n) Assistant Negro Home Demonstration Agent, salary	2,400.00
(o) Secretary to serve four Negro County Agents, salary	1,800.00
(p) 4-H Club activities—Negro Agricultural Agent	200.00
(q) Negro Home Demonstration Agent, demonstrational materials and telephone	274.76
(r) Agricultural Building, expense	3,000.00
<i>Provided</i> , the rents from the Agricultural Building shall be applied on maintenance.	

Total, Item 12 \$ 15,933.76

Item 13. Charities:

(a) Florence County Department of Public Welfare:	
Local Administration	\$ 1,200.00
Child Welfare Unit	1,920.00
Boarding home care for children in foster homes	300.00
Emergency Fund	2,300.00
Salary supplements	2,600.00
Board members	1,800.00
<i>Provided</i> , that members of the board of the Department of Public Welfare shall receive the sum of \$50.00 per month and shall be required to meet at least once each week to conduct the	

business and supervise the functions of the Welfare Department.

	\$ 10,120.00
(b) Charity Hospital Cases	\$ 24,000.00
<i>Provided</i> , that this amount shall be apportioned and disbursed in twelve monthly installments not to exceed two thousand dollars per installment.	
<i>Provided</i> , further, that none of these funds shall be expended on cases outside of Florence County.	
(c) Medicine for charity cases, to be disbursed upon recommendation of attending physicians	2,500.00
(d) Salvation Army	1,500.00
(e) Foster Children's Home	5,000.00
(f) Foster Home, Negro children	4,000.00
(g) Repairs and maintenance—Negro Foster Home	717.90
(h) Needy Orphan children	1,980.00
Total, Item 13	\$ 49,817.90

Item 14. (a) County Health Department:

Health Officer, salary supplement	\$ 4,027.00
Health Officer, travel	1,080.00
Chief Sanitarian, travel	1,080.00
Assistant Sanitarian, travel	1,080.00
Health Educator, salary	4,963.00
Health Educator, travel	1,080.00
Public Health Nurse IV, travel	1,080.00
Public Health Nurse II, salary	4,184.00
Public Health Nurse II, travel	1,080.00
Public Health Nurse II, salary	4,184.00
Public Health Nurse II, travel	1,080.00
Public Health Nurse II, travel	1,080.00
Public Health Nurse II, travel	1,080.00
Public Health Nurse II, salary	4,002.00
Public Health Nurse II, travel	1,080.00
Public Health Nurse II, salary	4,002.00
Public Health Nurse II, travel	1,080.00
Public Health Nurse I, salary	3,911.00

Public Health Nurse I, travel	1,080.00
Public Health Nurse I, salary	3,729.00
Public Health Nurse I, travel	1,080.00
Public Health Nurse I, salary	3,729.00
Public Health Nurse I, travel	1,080.00
Public Health Nurse I, salary	3,547.00
Public Health Nurse I, travel	1,080.00
Clerk II and X-ray technician, salary	3,378.00
Contingent Fund	4,000.00
Tuberculosis Drugs	2,000.00
Maintenance—Health Centers and Florence County Health Department	11,360.00
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	\$ 77,216.00

Provided, that the amounts herein enumerated for salary shall be paid in monthly payments according to a schedule which shall be approved by the County Board of Health and filed by the County Health Officer in the office of the Governing Board.

Provided, further, that no items listed for maintenance and contingencies shall be expended without written approval of the County Board of Health, said approval to be prior to the submission of vouchers to the County Governing Board.

Provided, further, that the amounts herein enumerated for travel shall be expended only upon written approval of the County Board of Health, at the rate of nine cents per mile so traveled, monthly, said approval to be prior to the submission of vouchers to the County Governing Board, not to exceed the amount so appropriated.

Provided, further, that the County Health Officer shall act with the county physician in all lunacy examinations and shall administer and give all smallpox vaccinations and anti-typhoid serum, in addition to all general duties of the County Health Officer.

Provided, further, that the sum enumerated for tuberculosis drugs shall be utilized for out-patient treatment.

Provided, further, that one Public Health Nurse shall be assigned to the Health Center at Johnsonville on a regular schedule to be approved by the County Board of Health.

- (b) Mental Health Clinic 15,238.33

Provided, that matching funds are supplied by the State of South Carolina, the Federal Government and Darlington County on the same ratio as in the past in an amount sufficient to demand this expenditure.

Total, Item 14 \$ 92,454.33

Item 15. National Guard Units:

- (a) Lake City National Guard \$ 1,200.00
(b) Florence National Guard 1,400.00
(c) Timmonsville National Guard 980.00

Total, Item 15 \$ 3,580.00

Item 16. Courts:

- (a) Civil Court of Florence—jurors and expenses \$10,000.00
(b) Judge's Salary 13,250.00
(c) Civil Court Stenographer 3,904.00
(d) Contingent Fund for Civil Court 200.00
(e) Jurors and Witnesses, Circuit Court 25,000.00
(f) Expenses, Stenographer, Court of Common Pleas and General Sessions 400.00
(g) Vital Statistics 1,125.00

Provided, that the Clerk of Court shall receive from those applying for birth and death certificates the sum of fifty cents each as compensation for indexing and furnishing birth and death certificates.

- (h) Master in equity 6,000.00

Provided, that the Master shall collect the fees and costs as now provided for, keep an account of all fees and costs, and on or before the tenth day of each calendar month he shall deliver

an itemized statement of such collection to the County Treasurer, together with the payment to the Treasurer of fifty per cent of all fees collected during the preceding calendar month.

(i) Clerk	3,000.00
(j) Probation Officer	330.00
(k) Clerk to Probation Officer	330.00
(l) Phone for Probation Officer	121.80
(m) Expenses, Resident Circuit Judge	1,500.00
(n) Clerk—Resident Circuit Judge—Florence County share	1,260.00
(o) Maintenance of County Law Library	1,500.00
(p) Solicitor, expenses	1,800.00

Total, Item 16\$ 69,720.80

Item 17. County Service Officer:

(a) Secretary, salary	\$ 1,760.00
(b) Expenses, County Service Officer	400.00
(c) Salary supplement, County Service Officer ..	642.00

Total, Item 17\$ 2,802.00

Item 18. Election Commission\$ 450.00

Provided, this sum is to be paid for expenses and mileage, and is to be paid quarterly.

Total, Item 18\$ 450.00

Item 19. Florence County Higher Education Commission\$ 17,458.00

Provided that all fees charged by the University of South Carolina for any purpose shall be paid for by the tuition of the students enrolled in the University of South Carolina Extension Branch at Florence.

Total, Item 19\$ 17,458.00

Item 20. Florence County Historical Commission\$ 7,500.00

Total, Item 20\$ 7,500.00

Item 21. County Recreation Department:

(a) Director's salary	\$ 5,280.00
(b) Director's travel	1,200.00
(c) Office expenses and postage	310.00
(d) Officiating	125.00
(e) Program supplies	1,500.00
(f) Program activities	2,000.00
(g) Contingent Fund	65.00
(h) Maintenance and construction of lighting facilities	850.00
(i) Summer helper	650.00
(j) Summer helper—travel	100.00
Secretary	350.00

Total, Item 21

Item 22. Insurance on County Employees

Total, Item 22

Item 23. Insurance on County Buildings

Total, Item 23

Item 24. Workmen's Compensation Premiums

Total, Item 24

Item 25. Annual Audit of County

Provided, that ALL offices in Courthouse shall be audited, such audit to include all moneys received by such offices, including fines, fees and collections.

Total, Item 25

Item 26. County Ranger

Total, Item 26

Item 27. Florence County Registration Board

Total, Item 27

Item 28. Civil Defense Director—Federal matching funds

Provided, that the Director shall receive a salary of \$6,000.00 and that the same shall be pro rata

shared by the existing State Civil Defense Agency.	
Civil Defense Director—travel	900.00
Contingent Fund for purchase of Civil Defense Equipment	800.00
Lake City Rescue squad	700.00
Pamplico Rescue Squad	700.00
Scranton Rescue Squad	700.00
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Total, Item 28	\$ 9,000.00
Item 29. Civil Air Patrol, Florence	\$ 1,281.20
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Total, Item 29	\$ 1,281.20
Item 30. Florence County Industrial Loan and Development Commission	\$ 25,000.00
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Total, Item 30	\$ 25,000.00
Item 31. Capital Improvements Contingent Fund	\$100,000.00
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Total, Item 31	\$100,000.00
Item 32. Florence-Darlington Technical Education Center, Maintenance and Operation ..	\$ 15,300.00
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Total, Item 32	\$ 15,300.00
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GRAND TOTAL	\$1,285,333.99

SECTION 2. The Treasurer of Florence County is hereby authorized, empowered and directed to pay the funds hereinabove appropriated out of any available funds in hand or that may be collected.

SECTION 3. Such officers of Florence County as are charged with the expenditure or disbursement of the above appropriations shall state upon each warrant drawn upon the county treasurer the item in the Appropriations Act on account of which the warrant shall have been drawn, and such disbursing officer shall not draw his warrant upon the county treasurer in any amounts singly or in the aggregate for more than has been appropriated for the specific purpose for which the warrant is drawn, except upon the written consent of all of the legislative delegation, and no warrant paid by the county

treasurer shall be allowed as a credit to him in his settlement unless it conforms with the above requirements. *Provided*, the Governing Board of Florence County is hereby authorized to borrow the funds hereinabove appropriated and pledge therefor the taxes to be collected for 1964. *Provided*, further, that upon any matter which the Governing Board of Florence County is required to act in connection with the county's business and affairs a majority of the board shall be sufficient. *Provided*, further, that all expenditures made and actions taken upon written authorizations of the Florence County Legislative Delegation are hereby validated.

SECTION 4. The governing board shall award the loan authorized in Section 3 to the lowest bona fide bidder, advertising for open bids in one or more newspapers, published in Florence County at least ten days prior to awarding bids, and at the same time notify each bank in Florence County in writing the terms and conditions under which the bids are received. The proceeds of this loan shall be deposited with the successful bidder; *provided*, the successful bidder is an incorporated bank within the County of Florence, South Carolina; *provided*, further, that before depositing any funds of the county in any bank or banks, such bank or banks shall secure the safe deposit of such funds by depositing with the county treasurer a trust receipt certifying that securities to the amount of such deposit or deposits have been duly set aside in some bank or trust company to be approved by the county board and are being held in trust for Florence County to secure such deposit. *Provided*, further, that securities shall be bonds or obligations issued by the United States of America, the State of South Carolina, or some political or governmental subdivision thereof, either or both, or Federal Land Bank, or Joint Stock Land Banks, or Home Owners' Loan Bonds; *provided*, further, that the deposit so made and secured shall remain with the bank or banks receiving it until used for the purpose for which it was borrowed, and all other funds of the county not already pledged shall be deposited with such successful bidder or bidders.

SECTION 5. All road machinery, plows, equipment and supplies to be purchased by Florence County from the funds herein appropriated shall be bought for the most economical price from the State Purchasing Agent or the State Highway Department, or upon competitive sealed bids, after two weeks' advertisement for such bids in some newspaper best circulated to give notice to the trade, which

advertisement shall designate the time and place at which the bids will be opened, and the bids shall be publicly opened at the time and place designated in the advertisement. *Provided*, further, that each member of the county delegation shall be notified by letter of the time and place of opening bids publicly. *Provided*, further, the county manager shall be allowed to purchase supplies up to and not exceeding \$500.00 without bids.

SECTION 6. No purchase shall be made for Florence County of any kind whatsoever from any members of the governing board or legislative delegation, or any relative of any member of the governing board or legislative delegation within the sixth degree, nor shall any member of the governing board or legislative delegation, or person related to a member of the governing board or legislative delegation within the sixth degree, enter into any contract by or with Florence County.

SECTION 7. The Clerk of Court for Florence County shall record all tax titles made to the Forfeited Land Commission for Florence County from the delinquent tax collector, and the auditor of the county shall record the transfer thereof without charge, in part consideration of the compensation now received by these officers.

SECTION 8. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R824, S616)

No. 1232

An Act To Authorize the Georgetown County Board Of Education And The Town Of Andrews To Convey Certain Real Property Situate In The Town Of Andrews In Georgetown County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Georgetown County Board of Education may convey certain property.—The Georgetown County Board of Education is hereby authorized to deed to the Town of Andrews the following real property: That certain block of land situate in the Town of Andrews, bounded by Oakland Street, Morgan Avenue, Ashland Street and Farr Avenue, excluding therefrom that rectangular lot situate at

the corner of Ashland Street and Morgan Avenue, measuring one hundred ninety-two feet on Ashland Street and one hundred feet on Morgan Avenue, and also excluding therefrom that rectangular lot at the corner of Farr Avenue and Oakland Street, measuring ninety-five feet on Farr Avenue and one hundred thirteen feet on Oakland Street, all as is more particularly shown by that certain map of Block 62, prepared by Samuel M. Harper, dated January 23, 1963, recorded in the office of the Clerk of Court for Georgetown County in Plat Book Q, at page 58.

SECTION 2. Further.—The Georgetown County Board of Education is hereby authorized to deed to the Governing Body of Georgetown County that certain lot of land situate in the Town of Andrews at the southwest corner of Ashland Street and Morgan Avenue and being more particularly described as set forth in Section 1 of this act.

SECTION 3. Town of Andrews may convey certain property.—In exchange for the property described in Section 1 of this act the Town of Andrews, by the mayor and town council, is authorized to deed to Georgetown County the lot upon which the city hall is situate on Main Street in the Town of Andrews and all buildings and appurtenances located thereon.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R1124, H2315)

No. 1233

An Act To Provide For The Levy Of Taxes For Schools, Roads And Other County Purposes In Georgetown County For The Fiscal Year Beginning July 1, 1964, Through June 30, 1965; To Provide For The Expenditure Thereof; To Set The Limits Of Certain Waters In The County; And To Provide For Certain Fiscal Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. In order to provide the sums appropriated herein for the respective purposes hereinafter mentioned, there is hereby levied upon all the taxable property in Georgetown County, for the fiscal

year beginning July 1, 1964, and ending June 30, 1965, such number of mills as may be necessary for the purpose of paying the sums herein set out. The county auditor shall make such levy with the approval of a majority of the legislative delegation from the county. In the event, however, of the death or resignation of any one or more members of the legislative delegation, the survivor or survivors shall have the right and power to execute such order.

Roads and Bridges	\$122,500.00
Clerk of Court, Salary	7,500.00
Deputy Clerk of Court, Salary	3,800.00
Clerk to Clerk of Court, Salary	3,200.00
Clerk to Clerk of Court, Salary	1,100.00
Sheriff, Salary	7,500.00
Sheriff, Travel Allowance	2,722.50
Deputy Sheriffs, Salaries	38,585.00
Deputy Sheriffs, Travel Allowance	21,575.00
For use by Sheriff for investigating purposes	1,500.00
Clerk to Sheriff, Salary	3,800.00
Jailor	4,100.00
Assistant Jailor and Radio Operator	3,800.00
Treasurer, sufficient with amount paid by State to total 7,500.00	3,652.00
Clerk to Treasurer, Salary	3,800.00
Clerk to Treasurer, Salary	3,400.00
Part-time Clerk to Treasurer	600.00
Auditor, sufficient with amount paid by State to total \$7,500.00	3,652.00
Tax Assessor, Salary	4,500.00
Tax Assessor, Mileage	1,320.00
Clerk to Auditor, Salary	3,800.00
Tax Accounting Clerk	3,800.00
Clerk to Auditor and Treasurer, Salary	3,200.00
County Commissioners, per diem and mileage	3,000.00
Chairman, Board of Commissioners, Salary	3,200.00
County Service Officer, Salary	4,800.00
County Service Officer, Travel	1,100.00
Clerk to Service Officer, Salary	3,800.00
Coroner, Travel	1,000.00
Attorney	1,200.00
Judge of Probate, Salary	6,500.00

Deputy Judge of Probate and Clerk	3,800.00
Clerk	3,200.00
Magistrate, Georgetown, Salary	4,400.00
Clerk to Magistrate, Georgetown	1,000.00
Magistrate, Andrews, Salary	1,750.00
Constable, Andrews, Salary	650.00
Magistrate, Nos. 5 and 6 Townships, Salary	1,750.00
Constable, No. 5 Township, Salary	650.00
Constable, No. 6 Township, Salary	650.00
Magistrate, Pawley's Island, Salary	1,400.00
Constable, Pawley's Island, Salary	650.00
Magistrate, Murrels Inlet, Salary	1,400.00
Constable, Murrels Inlet, Salary	650.00
Tax Commission and Board of Appeals	3,000.00
Jail Expenses	12,000.00
Jurors and Witnesses	15,000.00
Emergency Funds, Dept. of Public Welfare	3,500.00
Poor	5,000.00
Administrative Expenses, Dept. of Public Welfare ..	2,300.00
Post Mortems, Inquests and Lunacies	1,000.00
Public Buildings	20,000.00
Printing, Postage and Stationery	8,000.00
County Health Department	12,680.00
County Library	18,066.00
Bonding County Officers	1,500.00
Vital Statistics	400.00
Telephone and Telegraph	2,400.00
Special Contingent	40,000.00
Georgetown County Planning and Development Commission	15,000.00
County Home Dem. Agent, Col., Travel	900.00
Clerk to County Home Dem. Agent, col.	1,150.00
Workmen's Compensation Insurance	2,500.00
Retirement Fund and Social Security	20,000.00
Hq. and Hq. Btry., 4th How. Bn 178th Arty., Georgetown	1,000.00
A Btry, 4th Rkt. Bn 178th Arty., Andrews	1,000.00
Chairman, Board of Registration, Salary	2,100.00
Clerk, Board of Registration, Salary	650.00
Radio Maintenance	1,000.00

Assistant Health Inspector	1,675.00
Probation Officer—Travel	650.00
Clerical Help, Circuit Court Judge	1,600.00
Clerical Help, Probation Officer	650.00
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Total	\$494,677.50

SECTION 2. The deputy sheriffs shall devote their entire time to the duties of the office and shall work under the direction of, and be employed by the sheriff of the county, and shall keep daily records of their work and file same monthly in the sheriff's office.

SECTION 3. The Sheriff of the county shall be allowed one dollar and twenty-five cents per day each for dieting prisoners and he shall furnish them good, wholesome food.

SECTION 4. The Sheriff of the county shall work one of his deputies on Pawley's Island and Waccamaw Neck.

SECTION 5. The Senator and members of the House of Representatives from Georgetown County are hereby authorized and empowered to have a complete and thorough examination of the books and doings of all county officers of Georgetown County at least once each year, and, if they deem it necessary at any time, for the best interest of the county, that any office or officers should be investigated oftener than the regular annual investigation and auditing, they are hereby authorized and empowered, and directed to contract with such certified accountant or accountants as they may deem competent and qualified at such salary, or compensation as they may fix, the same to be paid out of the funds herein appropriated for miscellaneous contingent.

SECTION 6. The special contingent fund provided for in this act shall not be expended except upon the written order of a majority of the Georgetown County Legislative Delegation, including the Senator. In the event, however, of the death or resignation of any one or more of the members of the delegation the survivors shall have the right to execute any such order.

SECTION 7. It shall be unlawful for any person to gig for fish in salt waters from the northern tip of North Island to the northern tip of Magnolia Beach during the daylight hours. Any person violating the provisions of this section, upon conviction, shall be punished

by a fine of not more than one hundred dollars or imprisoned for not more than thirty days.

SECTION 8. Necessary medical service for the chain gang and other prisoners shall be provided by the board of county commissioners and charged to the proper account.

SECTION 9. The board of county commissioners shall employ janitors for the courthouse and other county offices and fix their duties. The janitors shall hold their positions and work under the direction of the board.

SECTION 10. All fees, fines and monies not otherwise provided shall go into the general county fund and show in detail by the officer or officers receiving such monies in their annual statement to the members of the legislative delegation.

SECTION 11. All salaries shall be paid in equal semimonthly installments at the middle and end of each calendar month. *Provided*, that no officer or person shall be paid for any transportation in addition to the mileage now allowed by law and the legal per diem expense now provided by law.

SECTION 12. Jurors serving in circuit courts in Georgetown County in this State shall, in addition to mileage at the rate of seven cents per mile going to and from court, receive a per diem of five dollars.

SECTION 13. Whenever warrants are drawn in the county commissioners's office or the office of the board of education on the county treasurer, a duplicate of such warrant shall be furnished the county treasurer at once. No warrant shall be honored by the county treasurer unless he is in possession of such duplicate and the same is duly itemized and shows for what issued.

SECTION 14. The forty-mile limit of Black River in Georgetown County is hereby declared to be at the mouth of Lane's Creek, and the forty-mile limit on Big Pee Dee River is hereby declared to be at the old ferry landing near Yauhannah Lake.

SECTION 15. The county board of education may sell and convey properties in Georgetown rural areas, abandoned for school purposes, for other properties; *provided*, those properties belonging to the county board do not have a value of more than two thousand dollars.

SECTION 16. The county board of commissioners is hereby authorized to employ a suitable individual as airport manager for the

county airport who shall receive no salary for the services. The airport manager shall be the liaison between the county board of commissioners and any person who shall lease or operate the airport.

SECTION 17. The county attorney shall render assistance and represent the sheriff's office when requested in all cases before magistrates in Georgetown County at no additional cost to the county. He shall not engage in any litigation or represent any interest contrary to Georgetown County or any agency or department thereof.

SECTION 18. Of the amount appropriated for Roads and Bridges in Section 1, the sum of ten thousand dollars shall be utilized and expended by the Drainage Commission for Georgetown County for drainage purposes.

SECTION 19. The board of education shall have the right to select and employ a competent attorney of its choice to represent it in all matters.

SECTION 20. The chairman of the board of registration shall be present and personally supervise the issuance of all registration certificates during those times that the registration books are open, as required by law, in the City of Georgetown.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1220, H2702)

No. 1234

An Act To Amend Act No. 533 Of 1963 Authorizing Georgetown County To Borrow Not Exceeding Two Hundred Twenty Thousand Dollars, So As To Redefine The Purposes For Which The Money Shall Be Borrowed And The Terms Of Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 533 of 1963 amended—Georgetown County may borrow money.—Section 1 of Act No. 533 of 1963 is amended to read as follows :

“Section 1. The Chairman of the County Board of Commissioners and the Treasurer of Georgetown County are hereby authorized

to borrow not exceeding two hundred and twenty thousand dollars to be used for the following county purposes: (a) financing the operation of the Georgetown County Board of Assessors in instituting and implementing a program of re-assessment and re-evaluation; (b) construction of a county agricultural building on land presently owned by the county; and (c) to meet the purchase price of a certain piece of real property situate in the City of Georgetown on the east side of Screven Street between Front Street and Prince Street, bought from the heirs of J. M. Ringel, for the purpose of providing a site for a county office building and which is to be used prior to such construction to provide parking facilities for the existing courthouse. The money borrowed shall be evidenced by a note of Georgetown County, executed on behalf of the county by the chairman of the county board of commissioners and the county treasurer and in such form as shall be prescribed by the chairman and county treasurer. The note shall bear interest at the lowest available rate, payable semi-annually, (determined by a call for bids directed to all banking institutions doing business in Georgetown County) and shall be payable as to principal in ten equal annual installments, the first of which shall be due twelve months from the date of the note. The note shall provide that the county has reserved and may anticipate the payment of the principal of the note, in whole or in part, on all principal payment dates."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1285, S881)

No. 1235

An Act To Authorize The Governing Body Of Georgetown County To Sell And Convey Certain Property Situate On Main Street In The Town Of Andrews.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Georgetown County may sell certain property.—The Governing Body of Georgetown County is authorized to sell and convey the lot upon which the city hall is situate on Main Street in the Town of Andrews and all buildings and appurtenances located

thereon. The selling price of the property shall be such as may be mutually agreed upon between the governing body and the purchaser, but in no case shall be lower than the fair market value.

SECTION 2. Execution of deed.—The deed shall be executed by the chairman of the Governing Body of Georgetown County in the name of the county.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R720, H2037)

No. 1236

An Act To Authorize The County Board Of Commissioners Of Greenville County To Issue Not Exceeding Three Hundred Thousand Dollars Of Bonds Of Greenville Memorial Auditorium District; To Prescribe The Conditions Under Which The Bonds May Be Issued And Their Proceeds Expended; And To Provide For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that through the expenditure of the proceeds of the bonds authorized pursuant to Act No. 1013 of the Acts of 1956, an auditorium has been built for Greenville Memorial Auditorium District which is now in use. It finds, however, that certain additional capital improvements are necessary and desirable in order that the auditorium might function to its best advantage. It has, therefore, determined to authorize the issuance of additional bonds of Greenville Memorial Auditorium District to the extent of not exceeding three hundred thousand dollars whose proceeds shall be used: (a) for the purpose of purchasing additional real estate which might be converted into off-street parking facilities; (b) to acquire additional real estate for the purpose of constructing thereon a storage warehouse for the purpose of storing equipment used in connection with the auditorium; and, (c) such other capital improvements as shall be found to be needed by the Board of Trustees of the Greenville Memorial Auditorium District, hereafter called the "trustees."

SECTION 2. Bonds of Greenville Memorial Auditorium District may be issued.—The County Board of Commissioners of Greenville County, hereafter called the “board,” is authorized to issue and sell such amounts of bonds of the Greenville Memorial Auditorium District, not exceeding three hundred thousand dollars, as may be within the constitutional debt limits applicable to the district. The bonds shall be issued upon the written order of the majority of the trustees of the district either as a single issue or from time to time in several separate issues as the trustees may ~~issue~~ directions to the board. Each issue of bonds shall mature serially in successive annual instalments of such amounts as may be determined by the trustees; *provided*, that the maturity date of the last instalment of any issue of bonds hereunder shall be not later than thirty years from the date of such issue. Any bond issued pursuant to this act may, at the discretion of the board, contain a provision permitting its redemption prior to its stated maturity on such terms as the board shall prescribe. The bonds shall bear such rates of interest as the trustees may determine, not to exceed four and one-half per cent per annum, payable annually or semiannually. They shall bear such date or dates and be payable at such place or places as the board may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the county treasurer and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the board may prescribe.

SECTION 3. Proceeds.—The proceeds derived from the sale or sales of the bonds authorized to be issued by this act shall be expended for the purposes enumerated in Section 1 of this act.

SECTION 4. Sale.—All bonds authorized by this act shall be sold by the board at public sale at not less than par and accrued interest to date of delivery. The form, manner and occasion of the advertisement shall be determined by the board.

SECTION 5. Execution.—The bonds shall be signed by the chairman of the board and attested by the Treasurer of Greenville County under such seal as the board may prescribe, but it shall be sufficient for the interest coupons attached to the bonds to bear only the signature of the county treasurer. The signature on the coupons may be facsimile, engraved or printed.

SECTION 6. Proceeds further.—The proceeds derived from the sale of bonds authorized pursuant to this act shall be deposited with

the Treasurer of Greenville County in a special fund, separate and distinct from all other funds. Such proceeds shall be applied solely for the purposes set forth in Section 1, except that accrued interest and premium, if any there be on the sale of the bonds, shall be deposited in the account established by the Treasurer of Greenville County for the payment of the principal and interest on the bonds. Such funds shall be expended only upon order of the trustees for the purposes herein mentioned.

SECTION 7. Exempt from taxes.—The bonds, both as to principal and interest, shall be exempt from all State, county and municipal taxes.

SECTION 8. Payment.—For the payment of the bonds and interest, the full faith, credit and resources of the district are hereby pledged, and the Auditor and Treasurer of Greenville County, respectively, are hereby empowered and directed to levy and collect annually a tax upon all taxable property in the district, sufficient to pay the principal and interest on the bonds as they respectively mature.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of February, 1964.

(R836, H2213)

No. 1237

An Act To Authorize Wade Hampton Water And Sewer District In Greenville County To Issue Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Terms And Conditions Under Which The Bonds May Be Issued And Their Proceeds Expended And To Provide A Tax Levy For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that the program authorized for Wade Hampton Water and Sewer District in Greenville County by Act No. 538 of 1963, and designed to provide adequate sewage disposal facilities for the district, is now in the process of construction; but due to the continued

growth of the district additional facilities, estimated to cost two hundred thousand dollars, are required. It has determined to authorize the construction of such facilities and to provide for the payment of the construction with the proceeds of an issue of two hundred thousand dollars of general obligation bonds of the district.

SECTION 2. Wade Hampton Water and Sewer District Commission may issue bonds.—In order to obtain funds to be used for the purpose of constructing and acquiring additional sewage disposal facilities in the district, Wade Hampton Water and Sewer District Commission is hereby authorized to issue, either as a single issue, or from time to time as several separate issues, not exceeding two hundred thousand dollars of general obligation bonds of the district.

SECTION 3. Denomination — dates — maturity — interest — redemption.—The bonds shall be in such denomination and shall bear such date as the commission shall determine and any issue or series thereof shall mature in such equal or unequal annual instalments as may be determined by the commission, except that the first maturing bonds of any issue or series shall mature not later than five years from their date of issue and the last maturing bonds of any issue or series shall mature not later than thirty-five years from their date of issue. They shall be made payable at such place as the commission shall prescribe and shall bear interest at such rate, payable semiannually, as the successful bidder at any sale thereof shall name. *Provided*, that no rate of interest borne by any bond shall be in excess of five per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal by the Treasurer of Greenville County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the commission may prescribe. Any bond issued pursuant to the provisions of this act may be made subject to redemption prior to its stated maturity on such terms and conditions and with such redemption premium as the commission shall prescribe.

SECTION 4. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries and shall be sold at public sale, after not less than ten days notice of the sale shall be given by publication in a newspaper of general circulation in South Carolina.

SECTION 5. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 6. Execution.—The bonds shall be executed in the name of Wade Hampton Water and Sewer District by the chairman of the commission and the Treasurer of Greenville County, under the seal of the commission. The coupons attached to the bonds shall be authenticated by the facsimile signatures of the chairman and the county treasurer who are in office on the date of the bonds. The delivery of any bonds so executed and authenticated shall be valid, notwithstanding any changes in officers or seal occurring after execution or authentication.

SECTION 7. Payment.—For the payment of the bonds, both principal and interest, as they respectively mature, the full faith, credit, resources and taxing power of Wade Hampton Water and Sewer District shall be pledged, and there shall be levied and collected by the Auditor and Treasurer of Greenville County, respectively, an ad valorem tax upon all taxable property in Wade Hampton Water and Sewer District, without limitation as to rate or amount, sufficient to pay the interest on the bonds and the bonds as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The taxes, when so levied and collected, shall be held by the county treasurer separate and distinct from all other funds and used solely for the purposes for which levied and collected under the terms of this act.

SECTION 8. Proceeds.—The proceeds derived from the sale of these bonds shall be deposited with the county treasurer in a special fund separate and distinct from all other funds and shall be expended upon the order of Wade Hampton Water and Sewer District Commission for the following purposes and for no other:

(1) The accrued interest, if any, shall be applied to meet the first instalment of interest to become due on the bonds.

(2) The premium received, if any, shall be applied to the payment of the first instalment of principal to become due.

(3) The principal proceeds shall be applied to: (a) the cost of issuing the bonds; and (b) the cost of constructing and acquiring sewage disposal facilities in the district.

Provided, that pending the use of the proceeds of the bonds to meet the costs to be incurred in constructing and acquiring sewage dis-

posal facilities in the district, the proceeds of the bonds shall, at the direction of the commission and to the extent prescribed by the commission, be invested and reinvested in obligations of the United States or the agencies thereof, having a stated maturity of not exceeding twelve months from the date of any such investment. The commission may employ the services of the trust department of any bank having an office in Greenville County to assist it in effecting such investments, and if such action shall be taken by the commission, the Treasurer of Greenville County shall, on the order of the commission, deliver to such bank the proceeds of the bonds, to the extent ordered by the commission.

All income realized from such investments, after meeting any costs incident thereto, shall be from time to time turned over to the Treasurer of Greenville County and by him applied to the payment of interest to become due on the bonds, but the provisions hereof shall in no way limit or impair the directive of this act made by Section 7, requiring the Auditor and Treasurer of Greenville County to levy and collect sufficient taxes to meet the payment of the principal and interest of the bonds, as they respectively mature, and any reduction in the tax levy resulting from income so received shall take place only after the actual receipt by the treasurer of the proceeds of such investment income. Whenever investments made as herein authorized shall be reconverted into cash, the principal proceeds of any such investments shall be returned to the Treasurer of Greenville County and by him applied in accordance with the provisions of this subsection.

SECTION 9. Powers to be additional.—The power and authority hereby conferred upon the commission shall be in addition to all presently existing power and authority and not in abrogation thereof, and the action herein authorized shall not require the approval of any other agency or commission.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R848, H2295)

No. 1238**An Act To Provide For Merger With And Annexation To The Parker Water And Sewer Subdistrict Of The Westville Water And Sewer Subdistrict, Both Being Subdistricts Of The Greater Greenville Sewer District In Greenville County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—After full investigation, the General Assembly finds: (1) That Westville Water and Sewer Subdistrict of the Greater Greenville Sewer District (hereinafter referred to as Westville Subdistrict) is becoming heavily populated and built up; that it is highly desirable and necessary in the interests of public safety, health and welfare that the subdistrict be served by publicly operated water distribution, fire protection and sewage disposal systems; (2) that a publicly operated water distribution system has been and is being provided, but that because of limited size and financial resources, Westville Subdistrict has not in the past and cannot in the foreseeable future provide fire protection and sewage disposal systems for the subdistrict; (3) that Parker Water and Sewer Subdistrict of the Greater Greenville Sewer District (hereinafter referred to as Parker Subdistrict) which is contiguous to Westville Subdistrict, is able to immediately furnish fire protection and within five years to furnish a system of sewage disposal to Westville Subdistrict; and (4) that in order to provide such services for Westville Subdistrict, the governing bodies of Westville and Parker Subdistricts have entered into an agreement wherein Westville Subdistrict agrees to become annexed to and part of Parker Subdistrict, to transfer to Parker Subdistrict all of its assets including its water distribution system and to be subject to all levies and assessments of Parker Subdistrict for the year 1964 and all subsequent years. Parker Subdistrict has agreed under such circumstances to accept Westville Subdistrict as a part of Parker Subdistrict, to assume the eighteen hundred dollars unpaid bonded indebtedness of Westville Subdistrict, to provide immediate fire protection, but to have no obligation to install sewage disposal facilities in the Westville Subdistrict or to repair or maintain existing septic tanks or provide new ones for a period of five years from the effective date of this act.

SECTION 2. Westville Subdistrict annexed to Parker Subdistrict.—The agreement set forth in Section 1 of this act is approved and Westville Subdistrict is hereby merged with and an-

nexed to Parker Subdistrict. All bonded indebtedness of Westville Subdistrict is hereby declared the obligation of Parker Subdistrict, and all property in Westville Subdistrict for the year 1964 and all succeeding years is hereby made subject to all levies and assessments imposed by Parker Subdistrict. The Governing Body of Westville Subdistrict is authorized and directed to convey all assets of the subdistrict to Parker Subdistrict. The Governing Body of Parker Subdistrict is authorized and directed to receive such conveyance, to subject all property in Westville Subdistrict to the levies and assessments imposed by Parker Subdistrict upon other properties in that subdistrict, to commence immediately fire protection for Westville Subdistrict, to assume and pay the unpaid bonded indebtedness of Westville Subdistrict, to make a survey at the earliest practicable time of the requirements and cost of a sewage disposal system for the former Westville Subdistrict and to provide a publicly operated sewage disposal system for the former Westville Subdistrict. *Provided*, however, that for a period of five years from the effective date of this act, Parker Subdistrict may, but shall have no obligation to, install sewage disposal facilities, repair or maintain existing septic tanks and provide new ones in the former Westville Subdistrict.

SECTION 3. Westville Subdistrict dissolved.—Upon conveyance as provided in Section 2 of this act, Westville Subdistrict shall cease to exist, its governing body shall be dissolved, its commissioners shall be relieved from any further obligation or duty thereabout, and the former Westville Subdistrict shall become a part of and be subject to the Governing Body of Parker Subdistrict.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1964.

(R951, H2250)

No. 1239

An Act To Create The Stroud Memorial Hospital District In Greenville County And To Authorize The District, Subject To An Election, To Issue Not Exceeding Fifty Thousand Dollars Of General Obligation Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds after investigation that the area in Greenville County, herein established as Stroud Memorial Hospital District, comprises an area of Greenville County some distance removed from other hospital or nursing home facilities; and further, the population in the area is increasing and it is anticipated that the population increase will continue in the future; and further, hospital and nursing care is needed for the protection of the health and welfare of the people of the area involved. It further appears that there is now in operation, by a private organization, Stroud Memorial Hospital and that it is not practical for the individuals who now comprise the board of trustees to continue the operation of the hospital on a private basis and that the only means of operating the hospital in this area in the future is that it be established as a public facility. It is further understood that upon the establishment of this area as a political subdivision of Greenville County with the power to operate Stroud Memorial Hospital as a public hospital or nursing home that the present trustees of Stroud Memorial Hospital will convey to the commissioners of the newly established subdivision all the fiscal property now held by the board of trustees unto the commissioners hereinafter named who will conduct the affairs of Stroud Memorial Hospital District and that the property conveyed will remain the property of the political subdivision known as Stroud Memorial Hospital District so long as the property is used as a hospital or a nursing home facility. It is further understood that when and if a satellite hospital, under the control of Greenville General Hospital, is established in the upper part of Greenville County, the Commissioners of Stroud Memorial Hospital District shall cease to operate the facility as a hospital and shall from that day forward operate the facility as a convalescent or nursing home only. The services furnished by Stroud Memorial Hospital District, to be furnished at the satellite facility erected in the upper part of Greenville County, shall in no wise be in competition with the services of Greenville General Hospital.

SECTION 2. Stroud Memorial Hospital District created.—There is hereby created in Greenville County the Stroud Memorial Hospital District which shall be a public corporation and shall have the functions prescribed by this act. The district shall include that area in Greenville County described as follows:

Beginning on the Pickens County line at the southern boundary of Tax District 350 and proceeding in an easterly direction from the

Pickens County line along the southern boundary of tax districts as shown in the Greenville County Block Book Department as 350, 375, 370 and 320 to Highway No. 253; thence north along Highways Nos. 253 and 117 to Highway No. 11; thence with Highway No. 11 to Highway No. 42; thence with Highway No. 42 to Highway No. 25; thence with Highway No. 25 to the North Carolina State line; thence with the North Carolina State line in a westerly direction to the Pickens County line; thence with the Pickens County line in a southerly direction to the southern boundary of Tax District 350. The area incorporated as Stroud Memorial Hospital District includes the following tax districts: 320, 350, 355, 369, 370, 375, 380, 399, 415, 420, 425, 430, 445, 450, 455, 460, 465, 470, 475, 480 and 485.

Included in the description of the district herein created is that special district known as Renfrew Sewer District, which boundaries are established by Act No. 429 of 1959. The Renfrew Sewer District is the only portion of Tax District 365 incorporated in Stroud Memorial Hospital District.

SECTION 3. To be governed by a commission.—The district shall be governed by a commission to be known as “Stroud Memorial Hospital District Commission.” The commission shall consist of eleven resident electors of the district. The original members of the commission shall be composed of the present members of the board of trustees of Stroud Memorial Hospital if otherwise qualified. They shall be appointed by the Governor upon certification of their eligibility by a majority of the Greenville County Legislative Delegation, including the Senator. Of those first appointed, four shall be appointed for terms of two years, four for four years and three for six years.

At the first organizational meeting of the commission, the members shall determine by lot the length of their respective terms. After the drawing, the commission shall then proceed to organize, electing one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The results of the drawing and the selection of officers shall be reported to the Greenville County Legislative Delegation.

After expiration of the initial term of office, each commissioner shall be appointed for a period of four years and until his successor is appointed and qualifies. Any vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term.

SECTION 4. Powers and duties.—The commissioners shall have the following powers and duties:

1. To renovate or repair present physical facilities;
2. To construct additional facilities;
3. To operate and maintain a health facility to be used in public hospitalization and nursing care;
4. To employ necessary personnel;
5. To operate the facility;
6. To make such contracts as are necessary for the purpose of repair, construction, maintenance and operation of the facility;
7. To appoint officers, agents, employees and servants and to prescribe their duties and fix their compensation;
8. To determine all matters concerning employees and employment necessary in the operation of the facility;
9. To establish fees for services rendered in giving hospital or nursing home care to patients;
10. To have power to receive gifts or donations in money or property from any branch of the government, federal, state or county;
11. To have authority to acquire or sell real estate or personal property;
12. To receive conveyances of property now owned by the Trustees of Stroud Memorial Hospital under the terms and conditions as heretofore provided;
13. To establish a bank account in a bank selected by the commissioners;
14. To keep strict account of all monies received and expended;
15. To submit a complete quarterly financial report to the Greenville County Legislative Delegation;
16. To issue not exceeding fifty thousand dollars of general obligation bonds of the district, the proceeds of which shall be used to defray the costs of repair and construction of facilities necessary to carry out the terms of this act. For the purpose of this section, the term "construct" shall embrace the costs of direct construction, a cost of any property acquired, assessments and franchises acquired which are deemed necessary for the operation of such facility, the cost of all equipment and apparatus, supplies needed therefor, payment to contractors, laborers, architects, or others for work done or materials furnished, financing charges, interest prior to and during construction and for six months after completion of construction, cost of engineers' services, legal services, legal expenses, plans, specifications, surveys, administration expenses and such other expenses as may be necessary or incidental to the construction, repair or renovation of the facilities

and the placing of them in operation. General obligation bonds as above set out shall be issued only in the event the election provided for in this act shall result favorably. The election shall be conducted by the Greenville County Elections Commission and the payment of the election costs shall be charged against the proceeds of the bond issue. If the bonds are issued:

(a) They shall be issued as a single issue, or from time to time, as several separate issues. They shall bear such date as the commission shall determine and the bonds of any issue shall mature in such equal or unequal annual installments as may be determined by the commission. They shall be made payable at such place as the commission shall prescribe and shall bear interest at such rate, payable in such manner as the commission may determine. The bonds may be registered with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Greenville County and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity on such terms and conditions, and with such redemption premium, as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale and, at least ten days prior to any sale, notice announcing the intention to receive bids for the sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale, the commission shall reserve the right to reject any and all bids; and if all bids shall be rejected, the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

(d) Such bonds shall be executed in the name of "Stroud Memorial Hospital District" by the chairman of the Stroud Memorial Hospital District Commission and by the Treasurer of Greenville County and under the seal of the district. The coupons attached to such bonds may be authenticated by the facsimile signatures of the chairman of the Stroud Memorial Hospital District and the Treasurer of Greenville County who are in office at the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid, notwithstanding any changes in offices occurring after such execution or authentication.

(e) There shall be irrevocably pledged for the payment of the bonds and interest, as they mature, the full faith, credit and resources of the district; and the Auditor and Treasurer of Greenville County are directed to levy and collect, annually, a tax upon all taxable property within the district sufficient to pay the bonds and interest as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities. The bonds may be additionally secured by a pledge of the net revenues which the district may derive from the operation of any revenue-producing facility. In such event, such net revenues as shall be available shall be delivered to the Treasurer of Greenville County prior to the occasion when the auditor fixes the annual levy. The annual *ad valorem* tax herein directed to be levied may be reduced in each year by the amount of net revenues actually in the hands of the Treasurer of Greenville County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such moneys on hand are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

(f) The pledge of net revenues authorized by item (e) of this paragraph need not, in the discretion of the commission, be exclusive; and the commission may reserve the right to issue further bonds, payable in whole or in part, from such net revenues, on a parity with the bonds authorized by this paragraph, under such conditions as the commission may prescribe.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of Greenville County in a separate and special fund and shall be expended upon the warrants or orders of the commission for the purposes specified herein, and no others, except that any premium received shall be deposited with the Treasurer of Greenville County and by him applied to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the Treasurer of Greenville County to the first installment of interest becoming due on the bonds. Neither the purchasers of the bonds, nor any subsequent holders thereof, shall be responsible for the proper application of the proceeds of sale.

17. Do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

18. To raise funds for discharging the duties vested in it. The commission shall notify the auditor and treasurer of any desired tax,

whereupon they shall levy and collect the tax as requested; and the treasurer shall hold the funds and disburse them as directed by the commission. All such taxes shall constitute a lien upon the property against which they are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the non-payment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes, shall apply to taxes levied pursuant to this act.

SECTION 5. Election concerning issuance of bonds.—The Commissioners of Election for Greenville County shall make provision for the holding of a special election in the district, on a date to be fixed by the commissioners, at which time there shall be submitted to the qualified electors of the district the question of issuing bonds of the district for the purposes authorized by paragraph 3 of Section 4. The election shall be conducted by the commissioners of election, who shall give notice thereof by publication once each week for three successive weeks prior thereto in one or more newspapers with general circulation in the district, stating the question to be submitted at the election and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted in each of the several precincts of the district as they are now established by law and at the regular voting place therein, if such be within the district; otherwise, the commissioners of election shall designate a suitable voting place within such precinct. The question submitted shall show on its face the primary purpose for which the proceeds of the bond issue are to be expended. The question shall be substantially in the following form:

“Shall the Stroud Memorial Hospital District issue bonds in a sum not exceeding fifty thousand dollars, the proceeds of which shall be used to renovate existing facilities, construct additional facilities and operate a hospital or nursing home for the district?

YES

NO”

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds he shall strike through the word “NO,” and that if he is opposed to the issuance of bonds he shall strike through the word “YES.” The managers of election at each precinct shall count the ballots and forthwith return the result of the election, together with the original ballots and tally sheets, to the Commissioners of Election for Greenville County, who shall declare

the result of the election and certify the results to the Clerk of Court of Greenville County and the Secretary of State within ten days of the election. If the commissioners determine that a majority of the voters voting in the election voted in favor of the issuance of bonds, the bonds, or any part thereof, may be issued as provided in paragraph 17 of Section 4; but if the commissioners determine that a majority of the ballots cast in the election be against the issuance of bonds, then no bonds shall be issued. Except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law.

SECTION 6. Revenues.—All revenues derived by the commission from the operation of any revenue-producing facility, which may not be required to discharge covenants made by it in issuing bonds, notes or other obligations authorized by this act, shall be disposed of by the commission from time to time for the purpose of the district.

SECTION 7. Rates not to be regulated.—The rates charged for services, furnished by any revenue-producing facility of the district, shall not be subject to supervision or regulation of the State or any agency thereof.

SECTION 8. Exempt from taxes.—The property and income of the district shall be exempt from all taxes levied by the State or any subdivision thereof.

SECTION 9. Obligations not to be impaired.—So long as the district shall be indebted to any person, on any bonds, notes or other obligations issued pursuant to the authority of this act, the provisions of this act and the powers granted to the district and the commission shall not be in any way diminished or restricted, and this provision of this act shall be deemed a part of the contract between the district and the holders of such obligations.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

To Permit Elections To Be Held In The City Of Greenville Upon The Question Of Incurring Bonded Indebtedness For Any Corporate Purpose Without There Being First Presented To The City Council Of The City Of Greenville A Petition Signed By A Majority Of The Freeholders Of The City Seeking And Authorizing The Holding Of Such Elections.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article II, Section 13, State Constitution, proposed—City of Greenville may hold election concerning bonded indebtedness without petition.—There is proposed the following amendment to Section 13, Article II, of the Constitution of South Carolina, 1895: add at the end thereof the following: "*Provided*, that the General Assembly need not prescribe any such petition of freeholders as a condition precedent to the holding of any such election in the City of Greenville where the proceeds of the bonds to be authorized are used for any corporate purpose of the City of Greenville. It is intended that the term 'City of Greenville' as used in this amendment shall mean the City of Greenville with corporate limits as now constituted or as hereafter altered following merger, annexation, or modification of corporate limits."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for members of the House of Representatives. Ballots shall be provided at the various voting precincts throughout the State, with the following words printed or written thereon: "Shall Section 13, Article II, of the Constitution of South Carolina, 1895, be amended so as to permit the holding of special elections in the City of Greenville for the purpose of determining if the City Council of the City of Greenville shall be empowered to issue general obligation bonds of the City of Greenville for any corporate purpose without there first being presented to the City Council a petition signed by a majority of the freeholders of the City of Greenville petitioning and authorizing such elections?"

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment', and those voting against the amendment shall deposit a

ballot with a check or cross mark in the square after the words 'Opposed to the amendment.' ”

Ratified the 24th day of March, 1964.

(R1184, H2676)

No. 1241

An Act To Authorize The County Board Of Commissioners Of Greenville County To Issue Not Exceeding Two Hundred Fifty Thousand Dollars Of General Obligation Bonds Of Greenville County, To Provide For The Construction And Equipping Of A Public Health Center For Greenville County, To Prescribe The Purposes For Which The Bonds Shall Be Issued, And To Make Provisions For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that a public health center is required in the interest of public health in Greenville County. It has determined that two hundred fifty thousand dollars, in addition to Federal grants which may be available under the Hill-Burton Act, will be required to obtain a suitable site and to construct and equip the center. It has further determined to authorize the County Board of Commissioners of Greenville County, hereafter called the board, to issue general obligation bonds of the county in an amount not to exceed two hundred fifty thousand dollars. It does not impose as a condition precedent to their issuance the receipt of monies from Federal sources.

SECTION 2. Bond issue authorized.—In order to provide funds to be expended for the purposes set forth in Section 1 of this act, the board is hereby authorized to issue and sell general obligation bonds of Greenville County in an aggregate principal amount not exceeding two hundred fifty thousand dollars.

SECTION 3. Number of issues.—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

SECTION 4. Maturity.—The bonds shall be of such denomination, and shall mature in such annual series or installments as the board shall provide for, except that the last maturing bonds shall mature not

later than twenty years from the date as of which the bonds shall be issued.

SECTION 5. Redemption.—Any bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

SECTION 6. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Greenville County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 7. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the board shall provide.

SECTION 8. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

SECTION 9. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the board shall by resolution prescribe.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Greenville County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Greenville County, and collected by the Treasurer of

Greenville County, in the same manner as other county taxes are levied and collected, a tax without limit, on all taxable property in Greenville County, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 12. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax-exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 13. Proceeds.—The proceeds derived from the sale of the bonds issued pursuant to this act shall be paid to the Treasurer of Greenville County, and shall be deposited in a bond account fund, and shall be expended and made use of as follows:

- (a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.
- (b) Any premium shall be applied to the payment of the first installment of principal of such bonds.
- (c) The remaining proceeds shall be expended, on the warrant of the board, to defray the cost of issuing the bonds authorized hereby, and to pay the costs incurred for all or any of the purposes set forth in Section 1.
- (d) If any balance remain, it shall be held by the Treasurer of Greenville County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 14. Powers additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be exercised at any special or regular meeting.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

An Act To Validate Certain Expenditures Made By Greenville County For County Purposes During The Fiscal Year 1963-1964.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Expenditures of Greenville County validated.—The following sums which have been expended by Greenville County for county purposes upon approval of the county legislative delegation, such expenditures and approval having been made during the fiscal year 1963-1964, are hereby validated and declared to be legal in all respects.

July	1, 1963	Farmers Wholesale Market	\$ 4,000.00
July	1, 1963	Secretary's salary (Judge Price) ..	1,800.00
July	1, 1963	Salary July and August, Director Happy Hearts Park	400.00
July	1, 1963	Extra help R. M. C. Office for July	600.00
July	1, 1963	Supplies, County Court, additional	400.00
July	2, 1963	Additional Salary, Special Deputy	1,200.00
July	8, 1963	Three months salary to Piedmont Deputy	300.00
July	9, 1963	Travel for prisoners used as janitors	1,500.00
July	9, 1963	Gasoline for use in above transportation	800.00
July	11, 1963	Food and maintenance for 3 blood- hounds	200.00
July	11, 1963	Conversion of 14 used car radios (sheriff)	7,200.00
July	11, 1963	Walkie talkies for Sheriff's Office	1,000.00
July	11, 1963	Uniforms and Equipment for 3 new deputies	1,245.00
July	11, 1963	Advance to send Solicitor and As- sistant to Attorney's School, Evans- ton, Ill.	585.00
July	19, 1963	Miscellaneous bills carried over from previous year, Juvenile Court	697.32
July	23, 1963	Greenville Co. Planning and De- velopment Board	9,500.00
July	26, 1963	Carry-over bill, Auditor's office ..	116.24
August	12, 1963	Board of Registration	72.00
August	15, 1963	Greenville County Soil Conserva- tion District	1,800.00
August	15, 1963	Greenville County Planning & De- velopment Board	6,200.00
September 10,	1963	Expense bill for Judge Frank Eppes	51.70
October	29, 1963	Ten per cent payment on agreed price of Donaldson Air Force Base	42,165.00

October 29, 1963	Repairs, heating system, County Jail	2,200.00
October 29, 1963	Air conditioning County Office Building	22,000.00
October 29, 1963	Salaries, Janitors at Courthouse and County Office Building	22,000.00
November 1, 1963	Board of Registration	252.00
November 20, 1963	Clerk in Parole & Probation office	424.13
November 20, 1963	Extra help in R. M. C. Office ..	675.00
December 6, 1963	Additional appropriation in six mill road levy	25,000.00
December 9, 1963	Greenville Farmers Market	3,000.00
December 12, 1963	Clerk, County Tax Collector's office	217.08
December 18, 1963	Board of Registration	360.00
December 19, 1963	Supplement for additional employees in Department of Public Welfare	1,246.70
December 19, 1963	Appropriation for County Service Officer	750.00
December 20, 1963	Electric typewriter for Judge Eppes	425.49
December 31, 1963	Authority to use, from revenue received by Nursing Home, for current maintenance	10,000.00
January 13, 1964	Planning Commission	5,000.00
January 7, 1964	Audit cost, Juvenile & Domestic Court	800.00
January 13, 1964	Additional clerks, R. M. C. office	2,892.96
January 21, 1964	Snow plows for Supervisor's office	6,400.00
January 27, 1964	Registration Board	720.00
January 27, 1964	Expense of deputy sheriff to fingerprinting school	75.00
January 31, 1964	Contingent fund for County Board of Commissioners	15,000.00
February 14, 1964	Salary increase, Clerk in County Clerk's office for six months	192.84
February 14, 1964	Purchase of two 2-Way radios for Sheriff's office (Special Deps. Huff and Poole)	988.00
February 14, 1964	Bond premium, Deputy Frank Burns	25.00

February 17, 1964	Transfer from surplus funds to Supervisor	50,000.00
February 24, 1964	Department of Public Welfare, additional	1,383.00
February 25, 1964	Registration Board	778.29
March 9, 1964	Purchase of 6 voting machines to be paid for from 1963-64 appropriation	11,070.00
Total		\$265,707.75

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1217, H2673)

No. 1243

An Act To Authorize The County Board Of Commissioners Of Greenville County To Issue Not Exceeding Three Hundred Fifty Thousand Dollars Of General Obligation Bonds Of Greenville County, To Provide Additional Facilities For The Greenville County Commission For Technical Education, To Prescribe The Purposes For Which The Bonds Shall Be Issued, And To Make Provisions For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that by legislation enacted in 1962, the Greenville County Commission for Technical Education (hereafter called the commission) was established in order that Greenville County could cooperate with the program instituted by Section 21-701 of the 1962 Code to promote a program of vocational and technical education in the State. Thereafter there was made available to the commission the proceeds of an issue of bonds in the amount of five hundred fifty thousand dollars with which a site was acquired and appropriate facilities constructed thereon. The demand for the technical education program so provided has increased resulting in the need for the enlargement of the existing facilities, additional equipment and further land for use in connection with the expanded facilities. The cost of the foregoing

has been estimated at three hundred fifty thousand dollars. The General Assembly determined to authorize the County Board of Greenville County (hereafter called the board) to issue general obligation bonds of Greenville County to the extent of three hundred fifty thousand dollars in order to provide the commission with the funds now required. The General Assembly finds that the purpose of the expenditure is educational and is therefore one which counties are authorized to undertake pursuant to Section 6 of Article X of the Constitution of South Carolina.

SECTION 2. Bond issue authorized.—In order to provide funds to be expended by the commission for the enlargement of its existing facilities, equipment therefor and further land if the commission determines that additional land is required, the board is hereby authorized to issue and sell general obligation bonds of Greenville County in an aggregate principal amount not exceeding three hundred fifty thousand dollars.

SECTION 3. Number of issues.—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

SECTION 4. Maturity.—The bonds shall be of such denomination, and shall mature in such annual series or installments as the board shall provide for, except that the last maturing bonds shall mature not later than twenty years from the date as of which the bonds shall be issued.

SECTION 5. Redemption.—Any bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

SECTION 6. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Greenville County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable

instruments under the law merchant and the negotiable instruments law.

SECTION 7. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the board shall provide.

SECTION 8. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

SECTION 9. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the board shall by resolution prescribe.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Greenville County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Greenville County, and collected by the Treasurer of Greenville County, in the same manner as other county taxes are levied and collected, a tax without limit, on all taxable property in Greenville County, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 12. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 13. Proceeds.—The proceeds derived from the sale of the bonds issued pursuant to this act shall be paid to the Treasurer of Greenville County, and shall be deposited in a bond account fund, and shall be expended and made use of as follows:

- (a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be expended, on the warrant of the commission, to defray the cost of issuing the bonds authorized hereby, and to pay the costs incurred for all or any of the purposes set forth in Section 2.

(d) If any balance remain, it shall be held by the Treasurer of Greenville County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 14. Powers additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be exercised at any special or regular meeting.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1350, S823)

No. 1244

An Act To Authorize And Empower Gantt Water And Sewer District Commission In Greenville County To Issue Not Exceeding Five Hundred Thousand Dollars Of General Obligation Bonds Of The District For Sewer Purposes, To Prescribe The Terms And Conditions Upon Which The Bonds May Be Issued And Their Proceeds Expended, And To Provide A Tax Levy For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Designation of Gantt Water and Sewer District.—The Gantt Water and Sewer District as referred to in this act shall mean the special purpose district in Greenville County created by Act No. 855 of 1954, and shall consist of the territory mentioned in Section 1 of that act as modified by Act No. 430 of 1959 and Act No. 554 of 1961.

SECTION 2. Findings of General Assembly.—The General Assembly finds that the Gantt Water and Sewer District (the district) proposes to provide sewage disposal service throughout most of the

district and has estimated that the cost of providing adequate sewage collection and disposal service will be five hundred thousand dollars. The General Assembly approved such proposal and intends to authorize the district to issue not exceeding five hundred thousand dollars of bonds for such purpose.

SECTION 3. Bond issue authorized.—In order to provide funds for the construction of such a sewer system, the Gantt Water and Sewer District Commission (the commission) may issue, either as a single issue or from time to time as several separate issues, not exceeding five hundred thousand dollars of general obligation bonds of the district.

SECTION 4. Denominations — dates — maturity — interest — redemption.—The bonds shall be in such denominations, bear such dates as the commission shall determine and any issue or series thereof shall mature in such equal or unequal annual installments as may be determined by the commission, except that the first maturing bonds of any issue or series shall mature not later than two years from the date of issue and the last maturing bonds of any issue or series shall mature not later than twenty-five years from date of issue. They shall be made payable at such place as the commission shall prescribe and shall bear interest at such rate, payable semiannually, as the successful bidder at any sale thereof shall name; *provided*, that no rate of interest borne by any bond shall be in excess of five per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal by the Treasurer of Greenville County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the commission may prescribe. Any bond issued pursuant to the provisions of this act may be made subject to redemption prior to its stated maturity on such terms and conditions and with such redemption premium as the commission shall prescribe.

SECTION 5. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries and may be sold at public or private sale in the discretion of the commission. In the event of public sale, notice shall be published once at least ten days prior to the sale in a newspaper of general circulation in the State. In offering the bonds for sale, the commission may reserve the right to reject any and all bids.

SECTION 6. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax-exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 7. Execution.—The bonds shall be executed in the name of the district by the chairman of the commission and the Treasurer of Greenville County, under the seal of the commission. The coupons attached to the bonds shall be authenticated by the facsimile signatures of the chairman of the commission and the Treasurer of Greenville County who are in office on the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution or such authentication.

SECTION 8. Payment.—For the payment of the bonds, both principal and interest, as the same respectively mature, the full faith, credit, resources and taxing power of the district shall be pledged, and there shall be levied and collected by the Auditor and Tax Collector of Greenville County, respectively, an ad valorem tax upon all taxable property in the district, without limitation as to rate or amount, sufficient to pay the interest on the bonds and the principal as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The taxes, when so levied and collected, shall be held by the Treasurer of Greenville County separate and distinct from all other funds and used solely for the purposes for which levied and collected under the terms of this act. The commission may in its discretion use the net proceeds derived from water or sewer charges, either or both, to meet the payment of the principal and interest on the bonds issued pursuant to this act and to the extent that the commission shall have delivered moneys from such sources to the Treasurer of Greenville County prior to the occasion when the annual ad valorem tax levy is fixed, the tax herein ordered shall be reduced.

SECTION 9. Proceeds.—The proceeds derived from the sale of these bonds shall be deposited with the Treasurer of Greenville County in a special fund separate and distinct from all other funds and shall be expended upon the order of the commission for the following purposes and for no other:

(1) The accrued interest, if any, shall be applied to meet the first instalment of interest to become due on the bonds.

(2) The premium received, if any, shall be applied to the payment of the first instalment of principal to become due.

(3) The principal proceeds shall be applied to: (a) the cost of issuing the bonds; and (b) paying the cost of constructing a sewer system for the district.

SECTION 10. Powers additional.—The power and authority hereby conferred shall be in addition to all presently existing power and authority and not in abrogation thereof.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R1351, S873)

No. 1245

An Act To Make Provision For The Establishment Of Sewer Service In A Portion Of Berea Water And Sewer District; To Provide For The Holding Of An Election To Determine If The Plan Provided By This Act Shall Be Placed Into Effect; To Provide That The Area Shall Become A Part Of Greater Greenville Sewer District And A Subdistrict Of Greater Greenville Sewer District; To Provide A Governing Commission For The Subdistrict And To Define Its Powers; To Provide For The Issuance Of Not Exceeding Two Million Five Hundred Thousand Dollars Of Bonds Of Berea Sewer Subdistrict; To Authorize The Issuance Of Bonds Of Greater Greenville Sewer District To Provide Funds With Which To Purchase Bonds Of Berea Sewer Subdistrict; And To Prescribe The Terms And Conditions Under Which The Bonds May Be Issued, The Purposes for Which Their Proceeds May Be Expended, And To Make Provision For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds as follows:

1. Greater Greenville Sewer District (Greater Greenville) is a special purpose district in Greenville County created pursuant to Act No. 362 of 1925. This district has for many years provided main trunk line sewer service within its service area. Situate within Greater Greenville are several so-called subdistricts which provide sewer laterals or collector lines which in turn utilize the main trunk line sewer service of Greater Greenville.

2. Berea Water and Sewer District (Berea) is a special purpose district adjacent to Greater Greenville. Berea was created by Act No. 848 of 1954. Berea furnishes water throughout its service area but until now has furnished no sewer collection or disposal service.

3. Berea has recently caused a study to be made to determine the extent to which the district requires sewer service. Such study indicates that there are two natural drainage areas in Berea. The one bordering on Greater Greenville is in dire need of sewer service. The second lying beyond Greater Greenville is less populated and, due to its situation in a different drainage area, it is neither practical nor essential that sewer service be provided therein. Act No. 848 of 1954 contemplated that any sewer service rendered in Berea would be paid for by a tax on all taxable property in the district; it is now determined that it would be inequitable to tax that portion of Berea lying in a drainage area different from that which is adjacent to Greater Greenville.

4. It is recognized that the cost of providing a sewer service for the area of Berea next adjacent to Greenville will require a substantial outlay with resulting increase in taxation in addition to other charges to be made for sewer service upon those who receive such service. For this reason it has been decided that the plan hereafter set forth should not be consummated unless the election required by this act shall be held and shall result favorably.

5. Greater Greenville is in a position and has the means with which to extend its main trunk line sewer service to connect with any system of collector lines or lateral sewers which would be constructed by Berea. Greater Greenville is also empowered to lend its credit to any of its subdistricts by purchasing bonds issued by its subdistricts with funds raised by bonds issued by itself. Greater Greenville has established credit and its securities would thus probably bear lower rates of interest than securities of its subdistricts.

6. On the basis of the foregoing, the following plan has been determined upon:

a. An election shall be held in that portion of Berea described in Section 2 of this act to determine if the Berea Water and Sewer District Commission (which shall become the governing agency of the subdistrict described in Section 2) shall be empowered to issue bonds of Berea Sewer Subdistrict of Greater Greenville in an amount sufficient to provide lateral or collector sewer lines throughout that portion of Berea described in Section

2 and by Section 2 constituted a part of Greater Greenville and a subdistrict thereof.

b. If the election shall result favorably, that portion of Berea described in Section 2 shall be annexed to Greater Greenville for sewer purposes and shall become a part thereof, and shall also become a subdistrict of Greater Greenville. Its governing body shall be the Berea Water and Sewer District Commission (the Berea Commission).

c. Greater Greenville shall provide main trunk line sewer service for the aforesaid subdistrict.

d. The Berea Commission shall issue bonds of the Berea Sewer Subdistrict to the extent required to pay for the cost of constructing and installing a suitable system for the collection and disposal of sewage throughout the Berea Sewer Subdistrict.

e. Greater Greenville may issue its bonds to the extent necessary, but within the limitations of this act, to provide funds which shall be used to purchase the bonds of the Berea Sewer Subdistrict if the governing Commission of Greater Greenville (the Greater Greenville Commission) shall find that the bonds of the Berea Sewer Subdistrict cannot be sold at a reasonable rate of interest.

SECTION 2. Portion of Berea to become part of Greater Greenville if election favorable.—If the election prescribed by this act shall result favorably, then the following portion of Berea shall become a part of Greater Greenville and as such be entitled to all benefits and shall assume pro rata its share of all liabilities now existing or hereafter incurred by Greater Greenville, viz.:

Beginning at a point on the boundary of the Berea Water & Sewer District which is at the intersection of Montague Road and the White Horse Road; thence proceeding in a southerly direction along the centerline of White Horse Road to a point which is 200' to the north of centerline of Broadway Drive; thence proceeding in a westerly and southwesterly direction parallel with and 200' from the centerline of Broadway Drive, crossing Saluda Dam Road to a point 200' to the southwest of the centerline of Saluda Dam Road; thence proceeding in a southeasterly direction parallel with and 200' from the centerline of Saluda Dam Road to its intersection with White Horse Road; thence proceeding parallel with and 200' from the centerline of White Horse Road to a point 200' northwest of centerline of

Banner Drive; thence proceeding in a southwesterly direction parallel with and 200' from the centerline of Banner Drive to the northern edge of the Southern Railway right of way; thence crossing the right of way at right angles to a point on the Southern edge of the Southern Railway right of way, which point is also on the boundary of the Berea Water & Sewer District; thence proceeding in a southeasterly direction following the Berea Water & Sewer District Boundary to the beginning point.

The area shall also become a sewer subdistrict of Greater Greenville. It is hereby designated as Berea Sewer Subdistrict and shall be so referred to. In order to provide for the governing of the Berea Sewer Subdistrict the Berea Commission shall have all of the powers granted by Section 3 of Act 848 of 1954 which are germane to the construction, operation and maintenance of a sewer system within Berea Sewer Subdistrict, except those set forth in Paragraph 21 thereof and in addition shall be empowered to:

1. Provide that charges for sewer service may be added to and combined with charges made for water service and that upon failure to pay the entire bill, water services may be disconnected. The Berea Commission shall be fully empowered to delegate the power granted to it by this paragraph to any other public agency which may now or hereafter collect utility bills in the Berea Sewer Subdistrict.

2. Prescribe that any charges made for a sewer connection or for sewer services shall become a lien on the property affected; *provided*, however, that prior to such action not less than ten days' written notice shall be given to each affected property owner, notifying him of the nature and quantum of the charges, and providing such property owner an opportunity, if desired and requested, to appear and be heard in person or by counsel, before the Berea Commission. Following such hearing, if such be requested and held, action shall be taken by the Berea Commission, and notice of its decision shall be given to the property owner concerned, or his counsel, as the case may be, not less than ten days prior to the effective date thereof. Any property owner aggrieved by the action of the commission may proceed by certiorari in the Court of Common Pleas for Greenville County to have such court review the action taken by the Berea Commission, at which time the court shall determine the validity and reasonableness of the charge so made. Fees or charges not intended to become liens in the case of nonpayment can be imposed and subsequently increased upon any user in the district without

such notice and hearing. If the notice or notices prescribed by this paragraph shall have been given and any hearing requested pursuant thereto shall have been held, all tapping fees, service charges and other charges imposed by the Berea Commission and not paid when due and payable, shall be and constitute a lien upon the real estate to which the sewer service concerned relates, so long as the fees or charges remain unpaid. In addition to such other rights and remedies as may be available to the Berea Commission in law or in equity for collection of the fees and charges, the lien may be enforced by the Berea Commission in the same manner and fashion as the lien or property taxes upon real estate. The method provided in this paragraph for the enforcement of the collection of past due sewer charges by creating them liens against real property shall not be the exclusive method of enforcing such collections and the Berea Commission is fully empowered to enforce the collection of any such charges in any other lawful manner in all or in any part of the Berea Sewer Subdistrict.

SECTION 3. Conduct of election.—In order to determine if the plan authorized by this act shall be put into effect, the Berea Commission shall be empowered to make provision for the holding of a special election in the area described in Section 2, on a date to be fixed by the Berea Commission, at which there shall be submitted to the qualified electors of such area the question set forth below and in substantially the following form:

“Shall that portion of Berea Water and Sewer District described in a 1964 Act of the General Assembly of South Carolina, approved day of, 1964, become a part of Greater Greenville Sewer District and a sewer subdistrict of Greater Greenville Sewer District, to be known as Berea Sewer Subdistrict, and on whose behalf there shall be issued not exceeding two million five hundred thousand dollars of general obligation bonds of such Berea Sewer Subdistrict to provide funds for the construction of a system of sewer laterals or collector lines with which to provide sewer collection and disposal service?”

Prior to the advertisement of the election an appropriate plat of the proposed Berea Sewer Subdistrict shall be prepared and copies thereof shall be filed in the following places:

1. Register of Mesne Conveyances Office for Greenville County;
2. The office of the Auditor of Greenville County;

3. The office of the Treasurer of Greenville County;
4. The office of the Berea Water and Sewer District Commission;
and
5. The office of the Greater Greenville Sewer District Commission.

The election shall be conducted by the Commissioners of Election for Greenville County, who shall cause notice thereof to be given by publication once a week for three successive weeks prior to the date of the election in one or more newspapers of general circulation in the district.

The special election shall be conducted at each of the polling places of the district, as the same are now established by law. The notice of the election shall set forth the question above prescribed, shall state where maps of the proposed Berea Sewer Subdistrict are on file, and shall list the precincts at which voting places shall be established.

The ballot to be employed in the election shall set forth the question above stated and shall be followed by the words "Yes" and "No."

The ballots shall contain suitable instructions, advising each voter that if he favors the establishment of the area as a part of Greater Greenville Sewer District and as the Berea Sewer Subdistrict, together with the issuance of bonds, he shall erase or strike through the word "No," and that if he is opposed to such action he shall erase or strike through the word "Yes."

The managers of election at each precinct shall count the ballots and forthwith return the results of the election, together with the original ballots and tally sheets, to the Commissioners of Election for Greenville County, who shall declare the results of the election. The Commissioners of Election shall thereupon file a certified copy of their resolution declaring the results of the election in the office of the Clerk of Court for Greenville County, the Secretary of State and the Code Commissioner.

Following such action, the results of the election, the sufficiency of the notice thereof, and the manner in which it shall have been conducted shall not be open to question except by a suit or other proceeding instituted within sixty days from the date of the filing of the certified copy of the resolution of the Commissioners of Election of Greenville County in the office of the Clerk of Court of Greenville County. If the Commissioners determine that a majority of the voters voting in the election voted favorably upon the question, the bonds or any part thereof, may be issued, as provided in Section 5 hereof, but if the commissioners determine that a majority of the ballots cast

in the election be against the issuance of bonds, then no bonds shall be issued under the provisions of Section 5 hereof. Save and except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law.

SECTION 4. Berea Sewer Subdistrict of Greater Greenville constituted if election favorable.—If the election contemplated by Section 3 of this act shall have been held and shall result favorably, then in such event the area described in Section 2 shall become a part of Greater Greenville Sewer District and shall be constituted as the Berea Sewer Subdistrict of Greater Greenville. As a part of Greater Greenville Sewer District it shall receive such benefits as shall be provided by Greater Greenville and shall correspondingly become liable for its share of its liabilities.

SECTION 5. Bond issue authorized—payment—1. In order to provide funds for the construction of a system of lateral or collector sewer lines sufficiently adequate to provide for sewer disposal service throughout Berea Sewer Subdistrict, the Berea Commission shall be empowered to issue as a single issue or from time to time in several separate issues not exceeding two million five hundred thousand dollars of general obligation bonds of Berea Sewer Subdistrict. The bonds shall be of the tenor hereafter prescribed.

2. For the payment of all bonds of Berea Sewer Subdistrict issued pursuant to this act there shall be irrevocably pledged for the payment of the bonds and interest, as the same mature, the full faith, credit and resources of the Berea Sewer Subdistrict, and the Auditor and Tax Collector of Greenville County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district, sufficient to pay the bonds and interest as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities. The bonds may be additionally secured by a pledge of any revenues which the Berea Sewer Subdistrict may derive from sewer charges. In such event, such revenues as shall be available shall be delivered to the Treasurer of Greenville County, prior to the occasion when the auditor fixes the annual levy. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of revenues derived from sewer charges, actually in the hands of the Treasurer of Greenville County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such moneys on hand are

sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

SECTION 6. Greater Greenville may purchase or issue bonds.—**payment.**—1. If the Greater Greenville Commission shall determine that bonds of the Berea Sewer Subdistrict cannot be sold at a reasonable rate of interest, it may purchase such bonds at the same rate of interest that it is required to pay upon the bonds of Greater Greenville authorized by this act. In order to provide funds which will enable Greater Greenville to purchase all or any part of the bonds of Berea Sewer Subdistrict authorized by this act, Greater Greenville Commission shall be empowered to issue general obligation bonds of Greater Greenville to such extent as may be necessary therefor, but not in excess of the aggregate principal of bonds issued on behalf of Berea Sewer Subdistrict.

2. For the payment of the bonds of Greater Greenville Sewer District, both principal and interest, as the same respectively mature, the full faith, credit, resources and taxing power of Greater Greenville Sewer District shall be pledged, and there shall be levied and collected by the Auditor and Tax Collector of Greenville County, respectively, an ad valorem tax upon all taxable property in Greater Greenville Sewer District without limitation as to rate or amount, sufficient to pay the interest on the bonds and the bonds as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The taxes, when so levied and collected, shall be held by the Treasurer of Greenville County separate and distinct from all other funds and used solely for the purposes for which levied and collected under the terms of this act. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of moneys received by Greater Greenville upon the bonds of Berea Sewer Subdistrict which are actually in the hands of the Treasurer of Greenville County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such moneys on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

SECTION 7. Denominations and maturity.—All bonds issued pursuant to this act shall be in such denominations and shall mature in such annual series or installments as the governing commission of the district issuing bonds shall provide.

SECTION 8. Redemption.—Bonds issued pursuant to this act may be issued with provisions providing for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the applicable governing commission, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings providing for the issuance of each issue, provision shall be made specifying the extent to which bonds of such issue are redeemable, the occasions of redemption, and the notice thereof that must be given.

SECTION 9. Form.—Bonds issued pursuant to this act may be either (a) in the form of negotiable coupon bonds, payable to bearer, with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Greenville County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, or (b) in the form of a single fully registered bond. Unless registered, such bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 10. Where payable.—Bonds issued pursuant to this act shall be payable at such places, within or without the State, as the issuing commission shall provide.

SECTION 11. Interest.—Bonds issued pursuant to this act shall bear interest at rates prescribed by the issuing commission.

SECTION 12. Execution.—Bonds issued pursuant to this act and the coupons annexed thereto, if any, shall be executed in the manner provided for by the issuing commission.

SECTION 13. Sale.—Except for bonds of Berea Sewer Subdistrict which are sold to Greater Greenville, bonds issued pursuant to this act shall be sold at public sale, after advertisement thereof in a newspaper having general circulation in the State, or in a financial publication published in the City of New York, or, in the discretion of the issuing commission, in both such publications. The advertisement shall appear not less than ten days prior to the occasion set for such sale. The bonds may be disposed of at private sale if there are no bids received, or if all bids are rejected. The provisions of this section shall not prevent a sale at private sale to the United States of America or any agency thereof.

SECTION 14. Sale—further.—All bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of delivery.

SECTION 15. Exempt from taxes.—Bonds issued pursuant to this act and all interest to become due thereon shall be exempt from all State, County, Municipal, School District and other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 16. Proceeds.—The proceeds derived from the sale of bonds issued pursuant to this act shall be deposited with the Treasurer of Greenville County in a separate and special fund and shall be expended upon the warrants or orders of the governing commission of the particular district for the purposes for which the bonds are issued; *provided*, always, that the purchasers of any bonds, or any subsequent holders thereof, shall be in no wise responsible for the proper application of such proceeds.

SECTION 17. Powers additional.—The power and authority hereby conferred upon the Greater Greenville Commission and upon the Berea Commission shall be in addition to all presently existing power and authority and not in abrogation thereof.

SECTION 18. Not to modify functions of Berea Commission.—Nothing in this act shall modify the functions of the Berea Commission insofar as water service through Berea is concerned nor affect in any manner the obligation of the bonds of Berea which are now outstanding, it being merely intended that the method of providing sewer service be modified so that sewer service to be rendered in that area of Berea which becomes Berea Sewer Subdistrict shall be rendered in conformity with this act.

SECTION 19. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

Prescribing Methods For The Collection Of Charges Imposed For Sewer Service.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that it did by Act 855 of 1954 create “Gantt Water and Sewer District”, and did commit to it the function of constructing and operating water and sewer systems. The General Assembly further finds that the district has not yet been able to put into operation a system for the collection of sewage, but that it proposes to do so with the proceeds of bonds to be authorized by legislation to be enacted by this General Assembly. It is intended that such bonds be paid in part by the proceeds of sewer charges. It is therefore desirable that the powers of the commission shall be enlarged by providing additional methods by which sewer charges may be collected.

SECTION 2. Subsection 14, Section 3 of Act 855 of 1954 amended—power to make schedule of rates and charges.—Subsection 14 of Section 3 of Act No. 855 of 1954 is amended by striking it out and inserting in lieu thereof the following :

“14. Place into effect and to revise, whenever it so wishes or may be required, a schedule of rates and charges for the use made of its sewage disposal system. Such charges for sewer service may be added to and combined with charges made for water service and the commission may provide that upon failure to pay the entire bill, water services may be disconnected. The commission shall be fully empowered to delegate the power granted to it by this subsection to any other public agency which may now or hereafter collect utility bills for the district.”

SECTION 3. Section 3 of Act 855 of 1954 amended—subsection 25 added—additional powers.—Section 3 of Act 855 of 1954 is amended by adding the following subsection :

“25. Prescribe that any charges made for a sewer connection or for sewage disposal services shall become a lien on the property affected; *provided*, however, that prior to such action not less than ten days’ written notice shall be given to each affected property owner, notifying him of the nature and quantum of the charge, and providing such property owner an opportunity, if desired and requested, to appear and be heard in person or by counsel, before the commission. Following such hearing, if such be requested and held, action shall be taken by the commission, and notice of its

decision shall be given to the property owner concerned, or his counsel as the case may be, not less than ten days prior to the effective date thereof. Any property owner aggrieved by the action of the commission may proceed by certiorari in the Court of Common Pleas for Greenville County to have the court review the action taken by the commission, at which time the court shall determine the validity and reasonableness of the charge so made. Fees or charges not intended to become liens in the case of nonpayment can be imposed and subsequently increased upon any user in the district without such notice and hearing. If the notice prescribed by this subsection shall have been given and any hearing requested pursuant thereto shall have been held, all tapping fees, service charges and other charges imposed by the commission and not paid when due and payable shall be and constitute a lien upon the real estate to which the sewage service concerned relates, so long as the fees or charges remain unpaid. In addition to such other rights and remedies as may be available to the commission in law or in equity for collection of the fees and charges, the lien may be enforced by the commission in the same manner and fashion as the lien of property taxes upon real estate. The method provided in this subsection for the enforcement of the collection of past due sewer charges by creating these liens against real property shall not be the exclusive method of enforcing such collections and the commission is fully empowered to enforce the collection of any such charges in any other lawful manner in all or in any part of the district."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R1377, H2675)

No. 1247

An Act To Provide For The Levy Of Property Taxes In Greenville County For County, School And Road Purposes For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965, And To Appropriate The Revenues Therefrom And The Income From All Other Available Sources Of County Revenues And To Direct And Control The Expenditures Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The County Auditor of Greenville County is hereby directed to calculate, subject to the approval of the Greenville County Legislative Delegation, the levy upon all the taxable property of Greenville County necessary to raise the appropriations hereafter provided for up to the sum equal to the difference between the estimated revenue accruing to the county from indirect and other revenues of like character applicable by law to the general expenses of Greenville County and the sum total of the appropriations herein provided, and no other purpose whatsoever, such levy not exceeding four and one-quarter mills, of all the taxable property of the county, and such revenue therefrom to be expended, if so much be necessary, during the fiscal year commencing July 1, 1964, and ending June 30, 1965.

SECTION 2. Appropriations:

Item 1. County Supervisor:

1-1 Supervisor	\$ 7,620.00
1-2 Clerks, 2 @ \$3,977.28 each	7,954.56
1-3 Engineer	3,420.00
1-4 Inspector	5,400.00
1-5 Camp Superintendents, 7 @ \$4,278.00 each	29,946.00
1-5 Ass't Superintendents, 4 @ \$3,816.00 each	15,264.00
1-5 Quartermaster	3,420.00
1-5 Interrogation and Transportation Officer	3,420.00
1-5 Gas and Parts Room Man	3,420.00
1-5 Tire Man	3,420.00
1-5 Mechanics, 3 @ \$3,420.00 each	10,260.00
1-5 Welder	3,420.00
1-5 Machine Operators, 16 @ \$3,420.00 each	54,720.00
1-5 Bridge Carpenter Foreman, 2 @ \$3,090.00 each ..	6,180.00
1-5 Plumber	2,892.00
1-5 Painter	2,892.00
1-5 Farmers, 2 @ \$2,892.00 each	5,784.00
1-5 Day Wardens, 4 @ \$2,892.00 each	11,568.00
1-5 Night Wardens, 5 @ \$2,892.00 each	14,460.00
1-5 Truck Drivers, 3 @ \$2,892.00 each	8,676.00
1-5 Dump Superintendent	3,816.00
1-5 Guards, 32 @ \$2,892.00 each	92,544.00
1-6 Travel—Supervisor	1,905.00

Total Salaries\$302,401.56

FROM GENERAL FUND:

1-100	Maintenance of buildings, appliances, janitors' supplies, office supplies, heat, lights & water . . .	38,000.00
1-101	Convict maintenance (food and clothing)	95,000.00
1-102	Purchase machinery and trucks	70,000.00
1-103	Farming supplies	6,000.00
1-104	Uniforms for guards	6,000.00
Total Expenses		\$215,000.00

TOTAL ITEM 1 FROM GENERAL FUND \$517,401.56
FROM SIX MILL ROAD LEVY

1-105	Gasoline, oil, diesel, fuel, lubricants	\$ 85,000.00
1-106	Maintenance of equipment (tools, tires, blades, batteries, cables, replacement parts)	146,000.00
1-107	Bridges and large culverts	40,000.00
1-108	Garbage dump	5,000.00
Total from Six Mill Road Levy		\$276,000.00

Provided, that the foregoing total in the amount of \$276,000.00 shall not be included in the Grand Total as that amount is from the Six Mill Road Levy.

Provided, the Supervisor of the county shall not expend or contract to spend in any one quarter of any fiscal year more than one-fourth of the total amount appropriated for his office. If in the carrying out of the limitation imposed on the Supervisor in this section it should develop that any unexpended portion of any item remains for any one quarter of the year, the same may be added to the amount authorized to be expended for the same purpose during the next ensuing period. The periodic allowance above designated shall not, however, be exceeded for any period and any contract providing for the expenditure of any sum in excess of the periodic allowance above provided shall not be binding upon the county. Any person contracting in any manner with the county is charged with the

duty of ascertaining whether or not the expenditure of any sum contemplated by any contract shall be in excess of such periodic allowance. The requirements of this proviso as to periodic expenditures may be dispensed with upon the written approval of the board of commissioners.

Provided, that no monies from the six mill road levy shall be spent for salaries.

Provided, further, that the balance of the six mill road levy shall be spent only for patching and surface treating county roads.

Item 2. County Board of Commissioners and related expenses:

Salaries and expenses:

2-1 Secretary to Commissioners	\$ 5,202.00
2-2 Comptroller	5,202.00
2-3 Accounting Machine Operator	5,202.00
2-4 Accounting Machine Operator	4,320.00
2-5 Secretary to Legislative Delegation	945.00
2-6 Block Book Engineer	6,620.04
2-7 Assistant Block Book Engineer	6,216.36
2-8 Assistant Block Book Engineers, 2 @ \$5,596.44 each	11,192.88
2-9 Assistant Block Book Engineer	5,056.44
2-10 Draftsman, 2 @ \$4,713.00 each	9,426.00
2-12 Special Engineer	3,953.28
2-13 Clerk, Block Book Department	3,396.96
2-14 Clerk, Block Book Department	3,012.96
2-15 Tax Clerk—City Block Book	2,025.00
2-16 I.B.M. Supervisor	6,020.04
2-17 I.B.M. Operators	16,611.72
2-18 Superintendent of Buildings	5,903.76
2-19 Third clerk for the Superintendent of Buildings	3,012.96
2-20 Night Superintendent of Buildings	3,551.60
2-21 Elevator Operator—County Office Building ...	2,841.80
2-22 Board of Commissioners, 5 @ \$600.00 each	3,000.00
2-23 Janitors' Salaries	27,000.00
Total Salaries	139,712.80

2-100	Travel for Superintendent of Buildings	600.00
2-101	Travel for Board of Commissioners	1,000.00
2-102	Travel for Block Book Department	500.00
	<i>Provided</i> , this shall be paid by the board of commissioners on the basis of seven cents per mile.	

	Total Travel	2,100.00
2-103	Office supplies, Commissioners	4,500.00
2-104	Stamps for Delegation Secretary	25.00
2-105	Supplies—Block Book Department	1,000.00
2-106	Lights and power	20,000.00
2-107	Fuel	7,000.00
2-108	Water	1,200.00
2-109	Insurance on buildings	5,500.00
2-110	Janitors' supplies	6,500.00
2-111	Elevator upkeep	2,500.00
2-112	Courthouse repairs	4,500.00
2-113	County audits	6,000.00
2-114	Bond premiums—all offices except Sheriff	5,000.00
2-115	Telephone and telegraph	13,000.00
2-116	Legal advertising	200.00
2-117	Postage—all offices	12,500.00
2-118	Workmen's Compensation	16,000.00
2-119	State Retirement and Social Security	130,000.00
	This includes employer's part of Police Officers Retirement.	
2-120	Contractual service—I.B.M.	14,774.92
2-121	Supplies and printing—I.B.M.	2,340.00
2-122	Supplies—Special Engineer	100.00

Total Supplies	252,639.92
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TOTAL ITEM 2	\$394,452.72
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Provided, that the county board of commissioners shall have complete control and direction of I.B.M. system and its personnel, equipment and supplies.

Item 3. County Jail:

3-1	Jailer	\$ 4,940.04
3-2	Assistant jailers, 6 @ \$4,170.00 each	25,020.00

3-3 Bookkeeper	3,977.28
Total Salaries	33,937.32
3-100 Food, fuel, etc.	22,000.00
3-101 Uniforms for jailers	1,050.00
Total Expenses	23,050.00
TOTAL ITEM 3	\$ 56,987.32
Item 4. Court Operation Expenses:	
4-1 Bailiff	\$ 2,226.36
4-2 Assistant bailiff	1,923.72
4-3 County Judge	12,870.00
4-4 Solicitor—County Court	6,274.68
4-5 Assistant Solicitor	4,080.00
4-6 County Court Reporter	4,113.00
4-7 Stenographer to County Solicitor	2,627.16
4-8 Stenographer to Circuit Solicitor	3,977.28
4-9 Stenographer to Coroner	1,524.60
4-10 Stenographer to Circuit Judge	1,392.00
4-11 Circuit Court Stenographer	337.56
4-12 Assistant Circuit Court and County Stenographer	4,080.00
4-13 Criminal Investigator—Circuit and County Court	5,538.00
4-14 Supplement salary—Stenographer, Parole Officer	1,016.40
4-15 Bailiff (County Court)	1,923.72
4-16 Stenographer, County Court Judge	3,720.00
4-17 Supplement salary—Stenographer, Parole Officer	712.56
Total Salaries	58,337.04
4-100 Travel—Criminal Investigator	900.00
Total Travel	900.00
4-101 Jurors—all courts	36,733.48
4-102 Office supplies—County Court	1,000.00
4-103 Supplies—Circuit Court Stenographer	1,500.00
4-104 Supplies—Circuit Court Solicitor	950.00

4-105 Law Library	1,000.00
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Total Expenses	41,183.48
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TOTAL ITEM 4	\$100,420.52
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Provided, that the Criminal Investigator shall be a full-time employee and charged with the duty of assisting the solicitors of the circuit and county court with the investigation and preparation of all criminal matters relating thereto in Greenville County, and to that end will be charged with the further duty of assisting the grand jury with respect to such investigations as the grand jury shall require. The appointment of the investigator shall be made by the county delegation upon the recommendation of the circuit and county solicitors.

Provided, that the assistant solicitor shall be employed by the circuit solicitor and the county court solicitor and shall serve under their direction.

Provided, that the money hereinabove appropriated for supplies for the circuit court stenographer shall be expended upon the written authorization of the resident circuit judge.

Provided, that witnesses, living outside Greenville County, called for coroner's inquest be paid the same as other court witnesses.

Item 5. County Health Department:

Salaries, supplies and vital statistics	\$149,375.30
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Mosquito control	15,000.00
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TOTAL ITEM 5	\$164,375.30
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Provided, that the monies hereinabove appropriated shall be spent upon the written approval of the legislative delegation.

Item 6. Sheriff and other Law Enforcement:

6-1 Sheriff	\$ 7,620.00
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6-2 Chief Deputy	5,101.56
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6-3 Radio Operator	5,331.60
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6-4 Clerk	2,915.04
6-5 Clerk	3,234.48
6-6 Bookkeeper	4,311.00
6-7 Deputies, 33 @ \$4,932.24 each	162,763.92
6-8 Warrant Clerk	5,182.20
6-9 Special Deputies, 8 @ \$283.32 each	2,266.56
Poe Mill	
Renfrew	
Southern Bleachery	
Union Bleachery	
Woodside	
Piedmont	
Southern Worsted	
Greer	
6-10 Special Deputies, 9 @ \$1,316.16 each	11,845.44
Brandon	
Sans Souci	
Upper part of Greenville County	
Taylors	
City View	
Fork Shoals	
Dunklin	
Town of Mauldin	
Park Place	
Travelers Rest	
6-11 Special Deputies, 4 @ \$1,060.80 each	4,243.20
Rehobeth	
Fairview-Austin	
Berea	
East and West Gantt	
6-12 Special Deputies, 2 @ \$1,260.00 each	2,520.00
Town of Piedmont	
Lake Lanier	
6-13 Special Deputy (Conestee)	304.92
6-14 Special Deputy (Slater-Marietta)	1,821.36
6-15 Special Deputy (Judson-Welcome)	1,344.12
6-16 Special Deputy (Wade Hampton)	1,386.00
6-17 Special Deputy (Laurel Creek—9 months)	571.68
6-18 Special Deputy (Pelham)	497.40
6-19 Special Deputy (East View)	1,289.52

6-20	Special Deputy relief, 2 @ \$1,344.24 each	2,688.48
6-21	Special Warrant Clerk	1,260.00
6-22	Special Deputy (Woodlawn—9 months)	519.75
6-23	Special Deputy Relief	702.72
6-24	Special Deputy Relief	2,573.52
Total Salaries		232,294.47
6-100	Travel—Sheriff	1,905.00
6-101	Travel—Chief Deputy	1,650.00
Total Travel		3,555.00
6-102	Gasoline	13,500.00
6-103	Rental on 18 cars	45,865.00
6-104	Fingerprinting equipment	1,500.00
6-105	Ammunition, guns, etc.	1,600.00
6-106	Evidence Procurement Fund	750.00
6-107	Radio maintenance and phone	4,390.00
6-108	Office supplies	3,500.00
6-109	Military	3,200.00
6-110	Insurance—Premium on Officers' Bonds	5,500.00
6-111	Transportation of prisoners	2,500.00
6-112	Maintenance on confiscated cars	1,000.00
6-113	Uniforms and equipment for deputies	4,930.00
6-114	Maintenance—Bloodhounds	300.00
Total Expenses		88,535.00

TOTAL ITEM 6 \$324,384.47

Provided, that Greenville County shall own the uniforms and equipment.

Provided, further, that if any of the above officers shall be replaced, the uniforms and equipment used by them shall be returned to the Sheriff.

Provided, that unincorporated towns and outlying districts shall be patrolled by schedule in that Greenville County shall be zoned by the Sheriff and radio patrol be constantly maintained in the zone, rather than attempting county-wide operation from the Sheriff's office; and *provided*,

that two deputies shall be assigned to civil matters and they shall not be responsible for the serving of criminal investigations.

Provided, that before any expenditure shall be made under the foregoing appropriation for transportation of prisoners, the Sheriff's office shall first obtain the written approval of the circuit or county solicitor.

Provided, further, if possible return of State prisoners shall be made without cost to the county.

Item 7. Clerk of Court:

7-1 Clerk of Court	\$ 6,620.04
7-2 Deputy Clerk	3,977.28
7-3 Second Clerk 2 @ \$3,398.64 each	6,797.28
7-4 Temporary Clerk	1,200.00

Provided, acting Clerk of Court, \$50.00 per week to be paid to the deputy clerk for additional duties while acting as Clerk of County Court, not to exceed thirteen weeks.

Total Salaries	18,594.60
7-100 Office equipment, supplies, etc.	2,200.00

Total Expenses	2,200.00
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TOTAL ITEM 7	\$ 20,794.60
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Item 8. Probate Judge:

8-1 Probate Judge	\$ 7,320.00
8-2 Clerk to Probate Judge	4,200.00
8-3 Second Clerk	3,398.64
8-4 Third Clerk, 3 @ \$3,012.96 each	9,038.88

Total Salaries	23,957.52
8-100 Office supplies and equipment	1,850.00
8-101 Lunacy examinations	3,900.00
8-102 Transportation of mental patients	2,300.00

Total Expenses	8,050.00
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TOTAL ITEM 8	\$ 32,007.52
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Item 9. Delegation Contingent Fund:

9-100 Special appropriation by Delegation\$ 15,000.00

TOTAL ITEM 9\$ 15,000.00

Item 10. County Treasurer:

10-1 County Treasurer\$ 2,784.84

10-2 First Clerk (2) 7,854.56

Total Salaries 10,639.40

10-100 Office Supplies 600.00

Total Expenses 600.00

TOTAL ITEM 10\$ 11,239.40

Item 11. Master in Equity:

11-1 Master\$ 7,920.00

11-2 Clerk to Master 3,977.28

11-3 Stenographer 3,012.96

Total Salaries 14,910.24

11-100 Supplies—Master 300.00

Total Expenses 300.00

TOTAL ITEM 11\$ 15,210.24

Item 12. Coroner:

12-1 Coroner\$ 3,870.00

Total Salaries 3,870.00

12-100 Travel—Coroner 1,650.00

Total Travel 1,650.00

12-101 Office supplies 250.00

Total Expenses 250.00

TOTAL ITEM 12\$ 5,770.00

Item 13. Register of Mesne Conveyance:

13-1 Register	\$ 6,620.04
13-2 First Clerk	3,977.28
13-3 Second Clerk, 2 @ \$3,398.64 each	6,797.28
13-4 Third Clerk, 6 @ \$3,012.96 each	18,077.76
13-5 Photo Record Machine Operator	3,840.24
13-6 Assistant Machine Operator	3,398.64
13-7 Temporary Clerk	1,200.00

Total Salaries	43,911.24
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13-100 Photo Record Machine supplies	13,000.00
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13-101 Office supplies and equipment	6,500.00
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Supplies for microfilming	3,500.00
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Total Expenses	23,000.00
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TOTAL ITEM 13	\$ 66,911.24
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Provided, that the Register of Mesne Conveyance, in each case where matter is left in her office to be forwarded by mail to some party, shall collect from the person leaving such matter in advance the postage necessary for mailing such matter.

Provided, further, that the Register of Mesne Conveyance may destroy chattel mortgage books left in her office for a period of six years.

Item 14. Auditor:

14-1 Auditor	\$ 2,784.84
14-2 First Clerk	3,977.28
14-3 Second Clerks, 2 @ 3,398.64 each	6,797.28
14-4 Third Clerks, 3 @ \$3,012.96 each	9,038.88
14-5 Tax Coordinator	6,620.04
14-6 Assistant Tax Coordinator	5,646.48
14-7 Temporary Third Clerk	723.24
14-8 Board of Assessors (salary and travel)	17,050.00
14-9 Second clerk to the Tax Coordinator	3,398.64
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Total Salaries	56,036.68

14-100 Travel, Tax Coordinator Office 900.00
Provided, this shall be paid by the board of commissioners on the basis of seven cents per mile.

Total Travel 900.00

14-102 Office Supplies, Auditor 1,150.00

14-103 Office Supplies, Tax Coordinator 500.00

14-104 Planning and zoning (City) 5,000.00

Total Expenses 6,650.00

TOTAL ITEM 14 \$ 63,586.68

Item 15. Tax Collector:

15-1 Tax Collector \$ 6,620.04

15-2 First Clerk 3,977.28

15-3 Second Clerk 3,398.64

15-4 Third Clerk, 3 @ \$3,012.96 each 9,038.88

15-5 Assistant Collectors, 4 @ \$3,205.20 each 12,820.80

15-6 Extra Help 1,815.00

Total Salaries 37,670.64

15-100 Travel, Tax Collector 300.00

Provided, this shall be paid by the board of commissioners on the basis of seven cents per mile.

15-101 Travel, Ass't. Collectors, 4 @ \$1,740.00 each ... 6,960.00

Total Travel 7,260.00

15-102 Office Supplies, (to include service contracts on machines) 2,050.00

Total Expenses 2,050.00

TOTAL ITEM 15 \$ 46,980.64

Item 16. Magistrates and Constables:

16-1 City Magistrate No. 1 \$ 5,565.00

16-2 City Magistrate No. 2 4,476.00

16-3 Town of Greer Magistrate 3,507.96

16-4 Magistrates, 2 @ \$3,024.00 each 6,048.00

Bates Township

West Greenville

16-5	Magistrates, 2 @ \$2,540.04 each	5,080.08
	Chick Springs Township	
	Special Sunday and Night Magistrate	
16-6	Magistrate, Town of Piedmont	1,989.60
16-7	Magistrates, 2 @ \$1,715.28 each	3,430.56
	Austin Township	
	Fairview Township	
16-8	Magistrates, 2 @ \$730.56 each	1,461.12
	O'Neal Township	
	Gantt	
16-9	Magistrate, Town of Batesville	584.40
16-10	Magistrates, 10 @ \$381.12 each	3,811.20
	Highland Township	
	Grove Township	
	Dunklin Township	
	Cleveland Township	
	Oaklawn Township	
	Butler Township	
	Paris Mountain Township	
	Glassy Mountain Township	
	Fork Shoals Township	
	Saluda Township	
	Total Salaries, Magistrates	35,953.92
16-11	Constables, 2 @ \$3,205.44 each	6,410.88
	City Magistrate No. 1	
	City Magistrate No. 2	
16-12	Constable, Town of Greer	2,691.24
16-13	Constable, West Greenville	1,905.72
16-14	Constables, 2 @ \$1,429.32 each	2,858.64
	Chick Springs Township	
	Town of Piedmont	
16-15	Constable, Bates Township	1,080.00
16-16	Constables, 2 @ \$889.32 each	1,778.64
	Austin Township	
	Fairview Township	
16-17	Constable, O'Neal Township	698.76
16-18	Constables, 12 @ \$317.64 each	3,811.68
	Highland Township	
	Grove Township	

Gantt Township
 Dunklin Township
 Cleveland Township
 Oaklawn Township
 Butler Township
 Town of Batesville
 Paris Mountain Township
 Glassy Mountain Township
 Fork Shoals Township
 Saluda Township

Total Salaries, Constables	21,235.56
16-19 Stenographer, City Magistrate No. 1	3,977.28
16-20 Stenographer, City Magistrate No. 2	3,398.64
16-21 Clerk, Chick Springs Township Magistrate	3,012.96
16-22 Clerk, Bates Township Magistrate	2,032.80
16-23 Clerk, Town of Greer Magistrate	1,549.20
16-24 Clerk, West Greenville Magistrate	1,219.68
Total Salaries, Clerical	15,190.56
16-100 Office Supplies, City Magistrate No. 1	250.00
16-101 Office Supplies, City Magistrate No. 2	250.00
16-102 Office Supplies, West Greenville Magistrate ...	150.00
16-103 Office Supplies, Town of Piedmont Magistrate .	420.00
16-104 Office Supplies, Chick Springs Magistrate	600.00
16-105 Office Supplies, all other Magistrates (to include warrant books)	1,500.00
16-106 Rent, Chick Springs Magistrate	1,800.00
16-107 Rent, West Greenville Magistrate	700.00
16-108 Rent, Bates Township Magistrate	800.00
16-109 Rent, Town of Piedmont Magistrate	300.00
16-110 Rent, Town of Greer Magistrate	300.00
16-111 Rent, Austin Township Magistrate	300.00
16-112 Rent, Gantt Township Magistrate	300.00
Total Expenses & Rent	7,670.00
TOTAL ITEM 16	\$ 80,050.04
<i>Provided</i> , that each Magistrate shall fully comply with Section 43-794 of the 1962 Code, relat-	

ing to the keeping of records and display signs,
etc.

Item 17. County Physicians and Attorney:

17-1 Physician for post mortems	\$ 4,400.04
17-2 County physician	3,630.00
17-3 County dentist	3,300.00
17-4 County attorney	3,334.32
17-5 County surgeon	3,300.00
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Total Salaries	17,964.36
17-100 Travel, County physician	2,000.04
17-101 Rent and expenses, County Attorney	1,800.00
17-102 Medical supplies for convicts	6,000.00
(to include eye glasses, orthopedic appliances, etc.)	
17-103 Dental supplies	108.00
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Total Expenses	9,908.04

TOTAL ITEM 17\$ 27,872.40

Provided, the appropriations for medical supplies and eye glasses, orthopedic appliances, etc., for convicts, shall be spent on certification of the County Physician.

Item 19. Farm Demonstration:

19-1 Farm Agent	\$ 1,316.28
19-2 Assistant Farm Agent	754.80
19-3 Assistant Farm Agent	368.88
19-4 Home Demonstration—White	1,445.28
19-5 Assistant Home Demonstration Agent	419.28
19-6 Home Demonstration Agent—Colored	1,248.84
19-7 Farm Agent—Colored	503.16
19-8 Stenographer—Colored	2,079.00
19-9 Stenographer	704.40
19-10 Stenographer to Farm Demonstration Agent ...	1,260.00
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Total Salaries	10,099.92
19-100 Demonstration supplies	125.00
19-101 Stationery & supplies, Demonstration Agent (Colored)	50.00
19-102 Rent, heat, telephone, etc., Colored Farm Agent	800.00

19-103 4-H Club—Boys	100.00
19-104 4-H Club—Girls	100.00
19-105 4-H Club—Colored	150.00
19-106 Future Farmers of America	200.00
19-107 Miscellaneous expense (County Agent)	120.00
19-108 Telephone, Home Demonstration Agent (White)	170.04
19-109 Greater Greenville Sanitation Department (to destroy, haul and dispose of dead animals)	4,500.00
19-110 Demonstration materials, Colored Farm Agent	50.00
19-111 Farmer's Wholesale Market	9,500.00

Total Expenses 15,865.04

TOTAL ITEM 19\$ 25,964.96

Item 20. County Forestry Board:

20-1 Clerk, 8 months @ \$32.14 per month, 4 months @ \$172.08	\$ 945.44
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Total Salaries 945.44

20-100 1 Ranger and 3 Wardens @ \$519.73 per year each for travel and expense	2,078.92
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20-101 4 Towermen @ \$69.36 per year each for travel and expense	277.44
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Total Travel and Expense 2,356.36

TOTAL ITEM 20\$ 3,301.80

Item 21. Charitable Institutions:

21-100 Children's Center	\$ 4,000.00
21-101 Greenville Rescue Mission	1,200.00
21-102 Salvation Army	1,000.00
21-103 Simpsonville Relief Agency	300.00
21-104 Emergency Maternity Shelter	31,500.00
21-105 Fountain Inn Relief Agency	300.00
21-106 Civil Defense	10,000.00
21-107 Mental Health Clinic	17,972.00
21-108 Greenville County Art Museum	7,500.00

Provided, the City appropriates matching funds.

TOTAL ITEM 21\$ 73,772.00

Provided, that the State Mental Health authorities are authorized to charge such patients as are financially able to pay a reasonable fee based on their ability to pay as may be determined by the authorities with such monies realized to be used for the purpose of improving the services at the Greenville Mental Hygiene Clinic.

Item 22. Department of Public Welfare:

22-1	Director, Salary Supplement	\$ 1,320.72
22-2	Supervisors, 8 @ \$55.02 each per month, supplement	5,281.92
22-3	Statistical Clerk, Salary Supplement	660.24
22-4	Case Workers, 36 @ \$22.00 each per month, supplement	9,504.00
22-5	Clerks, 16 @ \$22.00 each per month, supplement	4,224.00
22-6	Additional Child Worker	4,275.96
Total Salaries		25,266.84
22-100	Travel, 10 Case Workers @ \$33.00 per month each	3,960.00
22-101	Travel and Expense, Chairman of Board	330.00
22-102	Telephone and Western Union	2,300.00
22-103	Emergency Relief Purposes	2,500.00
22-104	Foster Home Care	25,100.00
22-105	Miscellaneous and Incidentals	700.00
Total Expenses		34,890.00
TOTAL ITEM 22		\$ 60,156.84

Provided, that the above appropriation shall be spent on approval by the Department of Public Welfare Board.

Item 23. Juvenile and Domestic Relations Court:

- 23-1. Salaries and Travel—Court Personnel\$ 80,646.94
Provided, that a salary schedule shall be submitted to the county board of commissioners for approval prior to July 1, 1964.

Total Salaries & Travel 80,646.94

23-100 Detention Home Expenses	9,110.00
23-101 Office Supplies & Expense	4,000.00
23-102 Special Mileage Expense	800.00
23-103 Judge's Special Fund	1,000.00

Total Expenses	14,910.00
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TOTAL ITEM 23	\$ 95,556.94
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Provided, that the above appropriation shall be spent on approval by the Juvenile and Domestic Relations Board.

Item 24. Rehabilitation Center:

24-1 Salaries & Travel	\$ 60,876.27
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Total Salaries & Travel	60,876.27
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24-100 Inmate Maintenance	18,800.00
24-101 Institutional Maintenance	13,850.00
24-102 Industries Program	55,006.00
24-103 Permanent Improvements	8,900.00

Total Expenses	96,556.00
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TOTAL ITEM 24	\$157,432.27
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Provided, that the budget of the Rehabilitation Center shall be approved by the Greenville County Legislative Delegation and a salary schedule submitted to the board of commissioners for approval prior to July 1, 1964.

Item 25. County Home:

25-1 Salaries	\$ 13,545.00
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Total Salaries	13,545.00
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25-100 Travel for Superintendent	120.00
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Total Travel	120.00
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25-101 Food, Fuel, Supplies, etc.	33,295.28
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Total Expenses	33,295.28
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TOTAL ITEM 25	\$ 46,960.28
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Provided, an itemized budget shall be submitted to the delegation for approval prior to July 1, 1964.

Provided, that the monies appropriated by separate act for the operation of the Greenville County Nursing Home shall be administered by the Greenville County Home Board.

Provided, further, that the Greenville County Home Board shall submit a budget for the Greenville County Nursing Home to the Greenville County Legislative Delegation for its approval.

Provided, further, that the Greenville County Home Board is empowered to promulgate rules and regulations to govern the operation of the Greenville County Nursing Home.

Item 28. Extra Help and Office Expenses Service Officer	\$ 2,750.00
Total Extra Help and Expenses	\$ 2,750.00
Item 32. Probation Officer—Supplies	\$ 250.00
Total	\$ 250.00
Item 35. Greenville Technical Education Center	\$ 52,000.00
Total	\$ 52,000.00
Item 36. Greenville County Planning Commission	\$ 30,000.00
Total	\$ 30,000.00
GRAND TOTAL	\$2,491,589.74
Anticipated approximate revenue indirect levy for 1964-1965 applicable to General County purposes approximately	\$2,102,198.24
Approximate revenue to be raised by levy for General County Purposes	\$389,391.50

SECTION 3. Subitems of subdivisions under Section 1, Item 1, of this act may be diverted to any other subdivision under the same item, where such action is found to meet the deficiency in such subitem or

subdivision, such diversions to be made by the County Board of Commissioners and upon and after the approval of the Greenville County Legislative Delegation at a duly called meeting; *provided*, the total appropriation of Item 1 be not thereby exceeded; *provided*, further, that like diversion in other items under Section 2 may be likewise made where no salary or fixed charge is thereby affected.

SECTION 4. Item 9, entitled "Contingent Fund", of fifteen thousand dollars hereinabove referred to, shall be expended in the discretion of, and under the direction of the Greenville County Delegation upon claims, demands and petitions previously approved by the County Board of Commissioners and for such purposes as may be prescribed by the delegation at regular called meetings duly assembled. *Provided*, that notices of any meeting shall state the matters to be considered, and any question or proposal not stated in the notice of a called meeting shall not be passed upon at such meetings unless as many as six members present vote in favor of considering the same.

SECTION 5. The amount hereinabove appropriated as salary for the County Auditor and County Treasurer are estimates only. The exact amount to be paid by this act appropriated as salary for each of such officers is a sufficient sum to make a total of six thousand five hundred twelve dollars and fifty-two cents when added to the amount paid by the State.

SECTION 6. Members of the Board of Assessors for Greenville County, including the members of the Special Board of Assessors for the City of Greenville, shall be paid fifteen dollars per day for their services. The members of the board shall be paid seven cents per mile for all necessary travel incident to their work. The special board for the City of Greenville may employ a clerk, who shall receive as compensation for his or her services the sum of five dollars per day for not exceeding ninety days. *Provided*, that no one shall be employed for the purpose without the prior approval and authorization of the chairman of the board.

SECTION 7. The County Board of Commissioners of Greenville County is hereby authorized to reduce the annual tax levy of any subdistrict of Greater Greenville Sewer District whenever it shall appear to the commission that the levy of any such subdistrict is excessive and higher than necessary to meet the debt service requirements and operating expenses of such subdistrict.

SECTION 8. The County Board of Commissioners of Greenville County, with the approval of the Greenville County Legislative Delegation, is hereby authorized to acquire from the United States of America, or any agency, department, authority, corporation or commission thereof, by purchase, lease, loan, gift, or otherwise, such equipment, machinery, supplies, materials, or property, real or personal, both as the county board of commissioners in its discretion shall deem necessary or beneficial to Greenville County or to any of its political subdivisions and to execute and deliver for and on behalf of the county, or any of its political subdivisions, any contract, lease or other instruments as may be necessary to consummate any transaction. The county board of commissioners shall make payment from the general funds of Greenville County for any property purchased hereunder, and there is hereby appropriated for such purpose from the general funds of Greenville County whatever sum or sums shall be necessary to carry out the purposes of this section.

SECTION 9. The County Board of Commissioners of Greenville County, subject to the written approval of the Supervisor of Greenville County, is hereby authorized to contract with the South Carolina Highway Department for the construction by the county of any road or street within the county, and to pay all cost of construction thereof out of the general fund for Greenville County pending the payment from the Highway Department for such construction. Any excess funds which may be received from the Highway Department over and above construction costs may be used by the Supervisor of Greenville County in improving and constructing roads within the county.

SECTION 10. No department head of Greenville County shall make any purchase or contract to purchase any materials, supplies, equipment or services in excess of one hundred dollars without prior approval of the county board of commissioners. The Board of Commissioners of Greenville County shall require bids on all purchases over one hundred dollars. Bids for purchases shall be obtained by advertising in a newspaper of general circulation in the county, once a week for two weeks, prior to the acceptance of any bids. The board of commissioners shall have the authority to accept or reject all bids. The board may waive advertisement for bids when it feels it is the best interest of the county to do so.

The board shall further have the right to formulate such rules and regulations as will insure proper purchasing for the county and may

prescribe such forms and bookkeeping methods as may be necessary to carry out the purposes of this section. No purchases shall be approved by the board which involve any obligation over and above the appropriation provided for such purposes.

SECTION 11. Should any part or section of this act be invalidated by court decision on the grounds of illegality or unconstitutionality such decision shall render invalid or inoperative only such portion of this act as may be specifically so invalidated, the remainder to continue in full force and effect.

SECTION 12. All expenditures heretofore authorized by the Greenville County Legislative Delegation and not heretofore validated are hereby ratified and validated.

SECTION 13. No department, agency or officer of Greenville County shall receive additional pay or any overtime pay during the period for which the appropriations are made in this act.

SECTION 14 No full time county employee shall receive extra compensation from the county or private sources for work done on county time or with county equipment or supplies.

SECTION 15. This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R736, H2056)

No. 1248

An Act To Authorize Or Ratify The Purchase Of The Old National Guard Armory In The City Of Greenwood By The Finance Board Of Greenwood County, And To Provide Funds Or Financing For Such Purchase.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County to purchase old National Guard Armory.—In order to provide a place for some of the Greenwood County governmental agencies during the construction of the proposed new courthouse, and for other governmental purposes, the Finance Board of Greenwood County is directed to purchase the old National Guard Armory on Phoenix Street in the City of Green-

wood from the Adjutant and Inspector General for the sum of twenty thousand dollars. If the purchase has already been effected, then it and any expenditures attendant thereto are hereby ratified.

SECTION 2. Payment.—The purchase price of the armory may be paid from the General Fund of Greenwood County or may be financed in whole or in part by general obligation notes of the county executed by the Finance Board. Any such note shall mature not later than ten years from the effective date of this act, shall bear such rate of interest as determined by the board and shall be secured by a pledge of the full faith, credit and taxing power of Greenwood County.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R892, H2334)

No. 1249

An Act To Authorize The Finance Board Of Greenwood County To Borrow Not Exceeding Ninety-Five Thousand Dollars For The Construction Of A Mental Health Center And A County Health Department Building, And To Provide For Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County may borrow money—issue notes.—The Finance Board of Greenwood County is authorized to borrow twenty-five thousand dollars for the construction of a mental health center and seventy thousand dollars for the construction of a county health department building. The board shall issue notes or general obligation bonds of the county for these purposes.

SECTION 2. Maturity.—All notes or bonds shall mature in such annual series or installments as the board shall provide, except that the first maturing notes or bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no note or bond shall mature later than ten years from the date of issue.

SECTION 3. Redemption.—Any note or bond may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be

prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 4. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Greenwood County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 5. Where payable.—The notes or bonds shall be made payable at such places, within or without the State, as the board shall provide, and shall bear interest at rates determined by the board.

SECTION 6. Execution.—The notes or bonds and the coupons to be attached to the bonds shall be executed in such manner as the board shall by resolution prescribe, and shall be sold at private or public sale at a price of not less than par and accrued interest to the date of their respective deliveries.

SECTION 7. Payment.—For the payment of the principal and interest of all notes or bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Greenwood County shall be irrevocably pledged, and there shall be levied annually by the auditor, and collected by the treasurer, of the county, on all taxable property in the county a tax sufficient to pay the principal and interest of the notes or bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 8. Exempt from taxes.—The principal and interest of the notes or bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 9. Proceeds.—The proceeds derived from the notes or bonds shall be paid to the Treasurer of Greenwood County and deposited in a fund exclusively for the construction of a mental health center and the construction of a county health department building. The treasurer shall expend such money pursuant to the terms of this act and under such rules as may be promulgated by the board. In the event bonds are issued:

(a) All accrued interest shall be applied to the payment of the first installment of interest to become due on the bonds;

(b) Any premium received upon the sale of the bonds shall be applied to the payment of the first installment of principal of such bonds;

(c) The remaining proceeds shall be used upon proper warrant to defray the cost of issuing the bonds authorized hereby, and to pay the cost of the construction for which the bonds are issued; and

(d) If any balance remain it shall be held by the treasurer of the county in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 10. Accept gifts and grants.—The board is authorized, for the county, to accept such gifts and grants as may be tendered and which are considered by the board to be beneficial and which will further the construction of the mental health center and the county health department building.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R893, H2335)

No. 1250

An Act To Make Supplemental Appropriations For The Fiscal Year 1963-1964 From The General Fund Of Greenwood County, And To Authorize The Finance Board Of Greenwood County To Borrow Additional Funds, If Necessary.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following supplemental appropriations are made from the General Fund of Greenwood County for the fiscal year 1963-1964:

County road construction program, including assistance with roads, drainage, etc., at site of Pilgrim Curtain Co. industrial location at Ware Shoals	\$ 85,000.00
Purchase of Armory, Phoenix Street, Greenwood . .	20,000.00
County Tax Mapping Program — employment of Assistant Mapper	1,800.00
Total	\$106,800.00

SECTION 2. In the event that the General Fund is insufficient to provide the amount appropriated in Section 1, the Finance Board of Greenwood County is authorized to borrow an amount sufficient to meet the appropriation under such terms and conditions as are mutually agreeable to the board and to the lender.

SECTION 3. This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R1015, H2492)

No. 1251

A Joint Resolution Proposing Amendments To Section 5 Of Article X Of The Constitution Of This State, Limiting The Bonded Indebtedness Of Political Subdivisions, So As To Permit Greenwood County To Incur Bonded Indebtedness Not Exceeding Twelve Per Cent And To Permit School District No. 50 In Greenwood County To Incur Bonded Indebtedness Not Exceeding Twenty Per Cent.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Greenwood County and Greenwood County School District 50.—It is proposed that Section 5 of Article X of the Constitution of this State be amended by adding at the end thereof the following :

“Provided, that the limitations imposed by this section shall not apply to Greenwood County and that the county may incur a bonded indebtedness not exceeding twelve per cent of the assessed value of all taxable property in the county.”

It is also proposed that Section 5 of Article X of the Constitution of this State be amended further by adding at the end thereof the following :

“Provided, that the limitations imposed by this section shall not apply to School District No. 50 in Greenwood County and that the school district may incur bonded indebtedness for school purposes to an amount not exceeding twenty per cent of the assessed value of all taxable property therein.”

SECTION 2. Submission to electors.—The proposed amendments shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with following words printed thereon:

“Shall Section 5 of Article X of the Constitution of this State be amended so as to permit Greenwood County to incur bonded indebtedness not exceeding twelve per cent of the assessed value of all taxable property in the county?

In favor of the amendment ☐

Opposed to the amendment ☐

Shall Section 5 of Article X of the Constitution of this State be amended so as to permit School District No. 50 in Greenwood County to incur bonded indebtedness for school purposes to an amount not exceeding twenty per cent of the assessed value of all taxable property therein?

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendments shall deposit a ballot with a check or cross mark in the squares after the words ‘In favor of the amendment’ and those voting against the amendments shall deposit a ballot with a check or cross mark in the squares after the words ‘Opposed to the amendment.’ ”

Ratified the 31st day of March, 1964.

(R1144, H2561)

No. 1252

An Act To Amend Act No. 550 Of 1963 Authorizing The Board Of Trustees Of School District No. 52 Of Greenwood County To Borrow A Certain Sum Of Money For School Purposes, So As To Increase The Amount That May Be Borrowed And To Further Provide How The Money May Be Used.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 550 of 1963 amended—School District 52 of Greenwood County may issue notes or bonds.—Section 1 of Act No. 550 of 1963 is amended to read as follows:

“Section 1. The Board of Trustees of School District No. 52 in Greenwood County is empowered to acquire or construct and equip

a high school for the district and to provide other school facilities in connection therewith. The Board may proceed without a vote of the people and is authorized to borrow not exceeding one hundred sixty-eight thousand dollars and give notes of the district evidencing the debt or issue general obligation bonds of the district not exceeding one hundred sixty-eight thousand dollars if when the notes or bonds are issued the constitutional debt limitation shall not be exceeded. Any funds now available or that may be available to the district may be used for paying any indebtedness which the district may have already incurred in connection with the acquisition, construction and equipping a high school for the district and any other school facilities in connection therewith."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1224, H2708)

No. 1253

An Act To Authorize The Finance Board Of Greenwood County To Borrow Not Exceeding Ninety Thousand Dollars For The Participation Of Greenwood County In The Program Of The Piedmont Technical Education Commission And The Construction Of A Technical Education Center.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County may borrow money.—The Finance Board of Greenwood County is authorized to borrow not exceeding ninety thousand dollars for the purpose of the participation of Greenwood County in the program of the Piedmont Technical Education Commission by contribution to the cost of construction of a technical education center for the Piedmont Technical Education and Training District. The board shall issue a note or general obligation bonds for this purpose.

In addition, the board is authorized to commit and pledge Greenwood County to participation in the balance of the building program of the commission on the basis of Greenwood County's pro rata share of such costs as is fixed and determined by legislation concerning the commission adopted *in pari materia*.

The board is further authorized to donate and convey to the Piedmont Technical Education Commission a parcel of land owned by Greenwood County not exceeding twenty-five acres as a site for the Piedmont Technical Education Center.

SECTION 2. Maturity.—All notes or bonds shall mature in such annual series or installments as the board shall provide, except that the first maturing notes or bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no note or bond shall mature later than ten years from the date of issue.

SECTION 3. Redemption.—Any note or bond may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 4. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Greenwood County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 5. Where payable.—The notes or bonds shall be made payable at such places, within or without the State, as the board shall provide, and shall bear interest at rates determined by the board.

SECTION 6. Execution.—The notes or bonds and the coupons to be attached to the bonds shall be executed in such manner as the board shall by resolution prescribe, and shall be sold at private or public sale at a price of not less than par and accrued interest to the date of their respective deliveries.

SECTION 7. Payment.—For the payment of the principal and interest of all notes or bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Green-

wood County shall be irrevocably pledged, and there shall be levied annually by the auditor, and collected by the treasurer, of the county, on all taxable property in the county a tax sufficient to pay the principal and interest of the notes or bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 8. Exempt from taxes.—The principal and interest of the notes or bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 9. Proceeds.—The proceeds derived from the notes or bonds shall be paid to the Treasurer of Greenwood County and deposited in a fund exclusively for the participation of Greenwood County in the building program of the Piedmont Technical Education Commission. The treasurer shall expend such money pursuant to the terms of this act and under such rules as may be promulgated by the board. In the event bonds are issued:

(a) All accrued interest shall be applied to the payment of the first installment of interest to become due on the bonds;

(b) Any premium received upon the sale of the bonds shall be applied to the payment of the first installment of principal of such bonds;

(c) The remaining proceeds shall be used upon proper warrant to defray the cost of issuing the bonds authorized hereby, and to pay the cost of the construction for which the bonds are issued; and

(d) If any balance remain it shall be held by the treasurer of the county in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 10. Accept gifts and grants.—The board is authorized, for the county, to accept such gifts and grants as may be tendered and which are considered by the board to be beneficial and which will further the program of the Piedmont Technical Education Commission.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1228, H2712)

No. 1254

An Act To Amend Sections 2 And 5 Of Act No. 441 Of 1959, Relating To The Greenwood Metropolitan District, So As To Provide For Compensation For The Commissioners And To Authorize The Commission To Pay For Audits From The Excess In The Bond Sinking Fund.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 441 of 1959 amended—to be governed by a commission.—Section 2 of Act No. 441 of 1959 is amended by striking on line 12 the words “All commissioners shall serve without compensation.” and by adding at the end the words “The chairman shall receive as compensation fifty dollars per month, the secretary shall receive fifty dollars per month and the other members of the commission shall receive twenty-five dollars per month, to be paid from the revenue of the district.” The section when amended shall read as follows :

“Section 2. The district shall be governed by a commission composed of six members. Three shall be residents of the district and shall be appointed by the Governor, upon the recommendation of the Greenwood County Legislative Delegation. The three commissioners of public works of the City of Greenwood shall be ex officio members of the commission and shall serve terms coterminous with their terms of office. Of those members appointed, one shall be appointed for an initial term of two years, one for an initial term of four years and one for an initial term of six years, after which their successors shall be appointed for regular terms of six years. The commission shall be known as the Greenwood Metropolitan Commission. Upon their appointment, they shall organize and from among themselves elect a chairman and a secretary and adopt an official seal. They shall procure office quarters within the City of Greenwood where their meetings shall be held and their records kept. The chairman shall receive as compensation fifty dollars per month, the secretary shall receive fifty dollars per month and the other members of the commission shall receive twenty-five dollars per month, to be paid from the revenue of the district.”

SECTION 2. Section 5 of Act 441 of 1959 amended—records—audit—bids.—Section 5 of Act No. 441 of 1959 is amended by adding at the end thereof “*Provided*, that the cost of the annual audit

may be paid for from the excess funds in the Bond Sinking Fund of the district." When amended the section shall read as follows:

"Section 5. The commission shall keep a permanent record of its proceedings, which shall be at all times accessible to the public, and also of all contracts made by it, and an accurate map and plan of the work done and projected, and shall keep proper books showing in detail all moneys received and disbursed by it. The books shall be audited annually by an independent auditing firm selected by the commission. The commission shall advertise for bids for at least thirty days in one or more newspapers published in the district on contracts for work to be done and materials to be furnished, and shall have the right to reject any and all bids and to enter contracts with the lowest responsible bidders. *Provided*, that the cost of the annual audit may be paid for from the excess funds in the Bond Sinking Fund of the district."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1302, H2493)

No. 1255

An Act To Authorize The Finance Board Of Greenwood County To Issue General Obligation Bonds Of The County In An Amount Not Exceeding One Million Five Hundred Thousand Dollars, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of Finance Board of Greenwood County ratified.—It has been found by the Finance Board of Greenwood County and the Courthouse Renovation and Building Committee of Greenwood County that there exists an immediate need to replace the existing Greenwood County Courthouse and offices, either in whole or in part, with new, modern and well-equipped courthouse and offices on the property where the courthouse and offices are now located and purchase additional property for such purposes and

to pay outstanding indebtedness already incurred for the purchase of lands to be used for such purposes. The General Assembly hereby ratifies the findings of the Finance Board of Greenwood County, hereafter called the board, and the Courthouse Renovation and Building Committee of Greenwood County, hereafter called the committee, and has determined to permit the board to carry out the above stated purposes with the proceeds of the bonds authorized by this act.

SECTION 2. Bond issue authorized.—In order to raise money to carry out the purposes enumerated in Section 1, the board may issue and sell general obligation bonds of Greenwood County (without the necessity of holding any election), in an amount not to exceed one million five hundred thousand dollars, if on the particular occasion that they are issued the applicable constitutional debt limitation shall not be exceeded. *Provided*, however, that none of such bonds shall be issued before November 15, 1964, following the referendum upon a proposed amendment to the Constitution of the State to increase the constitutional debt limit of Greenwood County to twelve per cent of the county's' assessed valuation.

SECTION 2(a). Further.—If, in its discretion, the board determines in the process of issuing the bonds provided in Section 2 that sound financing dictates that the existing bonds of Greenwood County heretofore issued and outstanding should be retired and refinanced by means of an extension of this bond issue so as to permit such refinancing, and if the terms and provisions of the existing and outstanding bonds permit such retirement by payment in advance of their maturities, in such event the board may, as an alternative to the authority provided by Section 2, issue and sell general obligation bonds of Greenwood County in an amount not to exceed two million dollars, if on the particular occasion that they are issued the applicable constitutional debt limitation of the county shall not be exceeded.

SECTION 3. Issue — maturity — redemption — interest — dates.—The bonds shall be issued either as a single issue or from time to time in several separate issues. Each issue of bonds shall mature serially in successive annual installments of such amounts as may be determined by the board, except that the maturity date of the last installment of such bonds or any series thereof shall be not later than thirty years from the date the bonds bear, and

the first maturity date of any series may be postponed not more than five years from the date the bonds bear. Any bond issued may, at the discretion of the board, contain a provision permitting its redemption prior to its stated maturity at such time, upon such terms and at such premiums as shall be prescribed by the board. The bonds shall be of such denomination, shall bear such rate of interest as the board may determine, payable semiannually or on such occasion as the board shall determine. The bonds shall bear such date and be payable at such place as the board may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Greenwood County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the board may prescribe.

SECTION 4. Execution.—The bonds shall be executed in the name of Greenwood County by the board, under the seal of the board. The interest coupons to such bonds need not be authenticated otherwise than by the facsimile signatures of the Supervisor and the Treasurer of Greenwood County lithographed or engraved thereon.

SECTION 5. Sale.—All bonds issued pursuant to this act shall be sold by the board at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least fifteen days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds, shall be published in a newspaper of general circulation in the State of South Carolina. The board may reserve the right to reject any and all bids, and if all the bids received at any sale be rejected, the board may reoffer the bonds for sale at a subsequent date by way of a public offering in the manner provided above for the original offer, as a part of a separate offering or sale or as part of another offering or sale. However, if all bids received at any offering or reoffering for sale be rejected, the board may, within sixty days thereafter, negotiate a private sale of such bonds at not less than par and accrued interest and at an interest cost not greater than the most advantageous bid received at the public offering or reoffering of the bonds, or, if no bid shall be received at any such offering or reoffering, at an interest cost not greater than an average rate of four per cent.

SECTION 6. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Greenwood County in

a special fund, separate and distinct from all other funds, and shall be expended for the following purposes:

(1) Any accrued interest shall be applied to meet the first installment of interest to become due on the bonds.

(2) Any premium received shall be applied to the payment of the first or any subsequent installment of interest to become due on the bonds.

(3) The balance of the proceeds shall be expended upon the order or warrant of the board for:

(a) The cost and expenses of issuing the bonds authorized hereby;

(b) To defray the cost of removing the old courthouse or buildings or any part thereof, to construct and equip a new courthouse and offices in connection therewith, to purchase additional lands for such purposes, and to pay any obligation already incurred by Greenwood County for the purchase of land to be used for such purposes;

(c) If any moneys shall remain after making the foregoing applications, the remainder shall be held by the Treasurer of Greenwood County and applied to the retirement of bonds issued pursuant to this act, either interest or principal, as they may become due. No purchaser or subsequent holder of any of the bonds shall look to or be responsible for the proper application of the proceeds to the purposes for which such bonds are issued.

(4) All funds shall be paid out by the board on vouchers signed by the chairman of the committee.

SECTION 7. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Greenwood County are hereby irrevocably pledged and there shall be levied annually by the Auditor of Greenwood County and collected by the Treasurer of Greenwood County, in the same manner as other county taxes are levied and collected, a tax without limit upon all taxable property in the county, sufficient to pay the principal of and interest on such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 8. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 9. Saving clause.—Should any provision of this act be held illegal or unconstitutional, it shall not vitiate the remaining provisions of this act, but all such provisions not held illegal or unconstitutional shall remain in full force and effect.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1340, H2616)

No. 1256

An Act To Provide For The Levy Of Taxes For Greenwood County For The Fiscal Year 1964-1965 And For The Expenditure Thereof; To Provide For Emergency Financing Of The County And Its School Districts; To Provide For The Sending Out Of Tax Notices, Fixing School District Levies And For A General School Levy, And For The Expenditure Thereof; To Validate Prior Actions Or Disbursements; To Authorize The Publication Of Financial Statements; And To Provide Penalties For The Violation Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of sufficient mills to pay the appropriations for Greenwood County hereafter made for the fiscal year beginning July 1, 1964, and ending June 30, 1965, after crediting against the appropriation all other revenue anticipated to accrue to the county during the fiscal year, not earmarked for specific purposes, is hereby levied upon all the taxable property of Greenwood County. The amount of millage shall be determined by the County Auditor in consultation with the Legislative Delegation and Finance Board of Greenwood County.

SECTION 2. There is hereby appropriated for Greenwood County for the fiscal year beginning July 1, 1964, and ending June 30, 1965, the following sums of money in the amounts and for the purposes herein set forth as follows:

Item 1. Road Maintenance Supervision:

A-1. Groceries	\$ 11,000.00
A-2. Salaries and Labor	42,000.00

Provided, from this amount the Finance Board shall increase salaries of full-time employees five per cent above salaries paid for 1963-1964.

A-3. Fuel Oil and Grease	18,000.00
A-4. Bridge Material	8,000.00
A-5. Road Material	14,000.00
A-6. Clothing and Camp Service	8,000.00
A-7. Medical Service and Medicine, Insurance on County equipment and miscellaneous items	4,000.00
A-8. Parts and Repairs	20,000.00
A-9. Maintenance and Building of Surface Treated Roads. (No Monetary Appropriation)	

The Supervisor of Greenwood County shall be responsible for repairing and maintaining all improved and surface treated roads in the county system. He further shall be responsible for making, grading, improving, and building such surface treated roads as might be designated from time to time and for which funds have been appropriated by the Greenwood County Legislative Delegation. *Provided*, that all contracts for road construction and resealing shall be entered into upon the basis of sealed bids, after advertisement therefor, with the right reserved to the county to reject any and all bids as to any particular project.

B. Supervisor's Salary	6,300.00
C. Clerk of Finance Board, Salary	6,300.00
D. Secretary to Supervisor and Finance Board ..	3,450.00
E. Additional Clerical Help	1,200.00

Provided, formal minutes shall be taken and transcribed in writing and maintained in a permanent minutes book of all formal meetings of the Finance Board of the County and all joint meetings of the Finance Board and the County Legislative Delegation, such minutes reporting all actions and decisions of the Finance Board on all items of county business and administrative matters which are not otherwise recorded or evidenced in written form, and a sufficient

amount of the foregoing appropriation shall be used for the purpose of providing clerical assistance for the recording and transcription of such minutes.

F. County Physician 600.00

Serving chain gang, jail and cases approved by the Department of Public Welfare anywhere in Greenwood County; *provided*, the County Physician shall be selected by a majority vote of the Finance Board.

Total, Item 1\$142,850.00

Item 2. Law Enforcement:

A. Sheriff's Salaries and Transportation:

A-1. Sheriff's Salary\$ 6,300.00

A-2. Eight Deputy Sheriffs at \$4,450 each 35,600.00

A-3. Secretary to Sheriff 3,200.00

A-4. Transportation of Prisoners 300.00

B. Constables:

B-1. At Ninety Six Cotton Mill 4,400.00

Provided, the Ninety Six Cotton Mill shall reimburse Greenwood County for \$2,200.00.

B-2. His Auto Upkeep and Traveling Expenses 200.00

Provided, that Ninety Six Cotton Mill shall match this travel with the same amount.

B-3. Matthews Mill (1) 4,400.00

Provided, that Matthews Mill shall reimburse Greenwood County in the sum of \$2,200.00.

B-4. His Auto Upkeep and Traveling Expenses .. 200.00

Provided, that Matthews Mill shall match this travel with the same amount.

B-5. At Ware Shoals, County's one-half part of four constables at \$2,200.00 8,800.00

B-6. Their Auto Upkeep and Traveling Expenses for Chief of Police and Deputies at Ware Shoals.

Provided, that Ware Shoals match this travel with the same amount 600.00

B-7. Harris Mill 4,400.00

Provided, Harris Mill shall reimburse Greenwood County in the sum of \$2,200.00.

- B-8. Auto Upkeep and Travel Expense, Harris Mill Deputy 200.00
Provided, Harris Mill shall match this travel with the same amount. *Provided*, that the appropriations for auto expenses and traveling expenses provided for in Item 2, B-2, B-4, B-6, B-8, shall be paid to the respective mill companies and shall be disbursed by them.
- B-9. Ware Shoals West End-Law Enforcement, two deputies, salary to be fixed by association 4,400.00
 This fund is intended to match the funds provided by West End Merchants Association for law enforcement in that community. Payment from the fund shall be made only on written orders of the Secretary of the Association, to which must be attached a sworn statement of the Secretary showing the purpose of the proposed expenditure, that it has been authorized by a majority of the Association and that the Association has already expended a like amount for the same purpose.
Provided, all constables provided for herein shall be subject solely to the direction and supervision of the sheriff of the county, and any vacancies occurring among the constables shall be filled by the sole appointment of the sheriff. *Provided*, further, all constables provided for herein shall have jurisdiction throughout the County of Greenwood, any provision of law to the contrary notwithstanding.
- C. Jail Expenses, including dieting of prisoners at \$1.25 per day 8,000.00
- D. National Guard Units 1,750.00
Provided, that this amount shall be divided among the various units and armories located in Greenwood County on the basis of \$500.00 to each armory and \$250.00 to each unit.
- E. One-half of Fingerprint and Picture Record of all prisoners (other half by City) 360.00
- F. Secret Service Work 100.00

Provided, that a portion of this fund may be used for the purpose of taking photographs to be used as evidence in criminal cases.

G. Officers' Uniforms	2,362.50
<i>Provided</i> , that this appropriation shall be disbursed as follows: eight deputy sheriffs in sheriff's office and Delinquent Tax Collector, \$175.00 each; all other constables and deputies (9), as the county's half part, \$87.50 each, <i>provided</i> , that the same be matched as to each constable as hereinabove provided for travel and auto expense.	
H. Insurance on Officers' Cars	2,800.00
I. Clerk of Court	1,300.00
The office of clerk of court is a fee office supplemented by the amount provided above, and the clerk is required to pay from his fees, including this supplement, the salaries of his employees and office expenses, and it is hereby declared that such has always been the case; <i>provided</i> , however, that should the clerk's income be less than \$6,300.00 after payment of salary of clerk and other temporary or emergency assistance paid on a proportionate basis to the salaries of other county clerical employees and after payment of office expenses, the county shall pay the difference upon showing made by affidavit of income and expenses.	
J. Attorney	1,200.00
<i>Provided</i> , the attorney shall be selected by a majority vote of the Finance Board.	
K. Coroner:	
K-1. Salary	1,200.00
K-2. Telephone at his residence	37.00
K-3. Travel	300.00
L. Post Mortems, Inquests and Mental Commitments.	2,000.00
M. Inquest Jurors	200.00
N. Magistrates:	
N-1. Greenwood	4,800.00

N-2. Ware Shoals	2,300.00
N-3. Ninety Six	1,350.00
N-4. Hodges and Cokesbury	1,100.00
N-5. Troy	150.00
N-6. Oak Grove	150.00
N-7. Callison, Phoenix and Kirksey	150.00
<i>Provided</i> , the salaries designated shall be the full compensation of the magistrates and all fees for civil and criminal procedures shall be remitted by the magistrates to the county treasurer and credited to the general fund of the county.	
N-8. Clerk for Greenwood Magistrate	3,300.00
O. Jurors and Witnesses in Circuit Court	10,000.00
<i>Provided</i> , that grand jurors receive \$10.00 per day each and petit jurors and bailiffs receive \$7.50 per day each and ten cents per mile one way for term.	
P. Jurors serving in Magistrates' Courts in criminal cases only	400.00
<i>Provided</i> , that Jurors serving Magistrates' Courts shall receive two dollars per day.	
Q. Judge of Probate	5,700.00
<i>Provided</i> , the salary hereby appropriated shall be in lieu of all fees received by the judge of probate for the services and processes of his office and all such fees shall be remitted by the judge of probate to the county treasurer and credited to the general fund of the county; <i>provided</i> , however, that this shall not affect the statutory rebates of inheritance tax provided under Section 27-303, Code of Laws of South Carolina, 1962, which section provides that the probate judge shall receive such rebates in addition to his other fees and salaries; <i>provided</i> , further, this clause shall have no effect upon services rendered as master in equity, which is a separate capacity and the fees for which services are designated by general state law.	
Clerk for Judge of Probate and Master	3,200.00

R. Extra Clerical Assistance—Judge of Probate ..	600.00
S. Clerical Assistance, Probation Officer, Greenwood County share	400.00
T. Coordinator between the solicitor and the police officers of the Eight Judicial Circuit	1,800.00
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Total Item 2	\$130,009.50
Item 3. Farm Aid:	
A. County Agent-Salary Supplement	\$ 360.00
B. Negro Home Agent-Salary and Travel	720.00
C. Supplies:	
1. Home Demonstration Agent	75.00
2. Negro Home Agent	50.00
3. Negro Agricultural Agent	50.00
D. Home Demonstration Work for Girls	100.00
E. Home Demonstration Work for Negro Girls ..	100.00
F. Boys' 4-H Club Work	100.00
G. Negro Boys' 4-H Club Work	100.00
H. Clerical Assistance—Negro Agent	1,200.00
I. Office Rent—Negro Agent	135.00
J. Vocational Agriculture Teacher—Travel	240.00
K. Fire Control, payable \$600.00 each to fire ranger and two fire wardens for expense and \$488.10 supplement to salary of tractor operator	2,288.10
L. County Breeders Association—aid to artificial insemination program	600.00
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Total Item 3	\$ 6,118.10
Item 4. Collection of Taxes:	
A. Salaries:	
A-1. Treasurer's Salary	\$ 2,260.00
This amount in addition to the amount provided by the State provides a total salary for the Treasurer of \$6,300.00.	
A-2. Assistance to Treasurer	3,450.00
A-3. Assistant Clerk for Treasurer	3,200.00
Extra help—Treasurer's office	900.00
A-4. Travel and official expense for Treasurer	220.00

A-5. Auditor's Salary	2,260.00
This amount in addition to the amount provided by the State provides a total salary for the Auditor of \$6,300.00.	
A-6. Travel allowance for Auditor	220.00
A-7. Chief Clerk for Auditor	3,450.00
A-8. Assistant Clerk for Auditor	3,200.00
Extra help—Auditor's Office	1,000.00
A-9. Tax Collector	4,450.00
A-10. Secretary to Tax Collector	3,200.00
C. Board of Assessors and Tax Appeals	3,500.00
C-1. Travel	320.00
D. Tax Assessor and Mapping Office:	
Salary of assessor and mapper	5,100.00
2 Assistants to Assessor and Mapper at \$3,800.00 each	7,600.00
2 Tape Men at \$2,080.00 each	4,160.00
Utilities	250.00
Engineering Fee	300.00
Clerical assistance	3,200.00
<i>Provided</i> , any future employment of this office must be confirmed by the Senator and a majority of the members of the House of Representatives from Greenwood County.	
E. Sending Out Tax Notices:	
E-1. Treasurer's Office	1,200.00
E-2. Delinquent Tax Collector's Office	400.00
Total Item 4	\$ 53,840.00
Item 5. Health Service:	
A. County Health Department	\$ 45,973.65
<i>Provided</i> , that the County Finance Board and the County Legislative Delegation shall be furnished one itemized statement of expenditures of this money.	
<i>Provided</i> , further, the increase of \$1,929.65 in the appropriation for this department shall be for salary increases of personnel of department, so that when combined with increase in State	

Appropriation the increase for each employee shall be five per cent.

B. Charity Patients at Self Memorial Hospital or other institutions as approved by the Department of Public Welfare	15,756.00
C. Brewer Hospital, for charity patients to be disbursed in twelve equal monthly payments	50,040.00
D. Mental Health Clinic for the participation of Greenwood County in a Regional Mental Health Program or Clinic	8,320.00

Total Item 5\$120,089.65

Item 6. Public Welfare and Other Assistance:

A-1. For boarding homes and emergency relief and matching State funds if needed	\$ 2,000.00
A-2. Telegrams and Long Distance Telephone calls	100.00
A-3. Expenses of Child Welfare Worker	600.00

Provided, that the above sum shall be payable in equal monthly installments of \$50.00 without the necessity of itemizing same.

A-4. To supplement salaries of personnel of Department of Public Welfare, to be administered by the County Welfare Board	3,720.00
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C. Veterans' Service Office:

C-1. Salary of Service Officer	5,700.00
C-2. Salary of Office Help	3,200.00
C-3. Office Expense and Travel	300.00

Provided, the funds, if any, provided by the State for the support of Veterans' Service Officer of Greenwood County shall be applied to the payment of the foregoing salaries and expenses and not duplicated.

C-4. Office Rent for Service Officer	425.00
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Total Item 6\$ 16,045.00

Item 7. Contractual Services:

A-1. Public Buildings, including water, fuel, lights and insurance, and extra janitorial help	\$ 12,000.00
A-2. Repairs at Lander College (Including repair of boiler in main building)	15,000.00

B. Printing and Stationery	2,000.00
C-1. Postage	650.00
C-2. Office Supplies	2,500.00
C-3. Office Equipment and Repairs	3,000.00
C-4. Clerk of Court, Supplies	7,500.00
D. Telephone and Telegrams	4,000.00
<p>Telephones shall be located one each in the office of the Sheriff, Supervisor, Treasurer, Auditor, Superintendent of Education, Clerk of Court, Judge of Probate, Grand Jury Room, Probation Officer, Service Officer, Tax Collector, Tax Mapping Office, Home Demonstration Agent, one in Colored County Agent's Office and one each in the homes of the Sheriff, the eight deputy sheriffs stationed at the Courthouse, the eight State patrolmen doing law enforcement work at \$4.00 each per month, the chief constables stationed at Ware Shoals Manufacturing Company, Matthews Cotton Mill, Harris Mill and Ninety Six Cotton Mill; <i>provided</i>, one-half of the necessary charges for the telephone service in the homes of the deputies stationed in the cotton mill villages shall be contributed by the respective cotton mill companies. All long distance messages shall be itemized and verified before payment from this fund.</p>	
E. Janitor Service	4,680.00
H. Pauper's Funerals	300.00
I. Workmen's Compensation Fund	2,000.00
J. Premiums of Officers' Bonds	800.00
J-1. Police Officers Retirement	6,000.00
K. South Carolina Retirement System and Social Security	16,000.00
L. Servicing radios in Sheriff's cars	720.00
M. Airport utilities, county's share	600.00
N-1. Central gas, oil and servicing for county-owned cars	5,000.00
N-2. Gas and oil for county-owned cars when away from central supply	50.00
N-3. Central Fund—parts, repairs and tires for county-owned cars	3,000.00

O-1. Secretary to Delegation	\$ 480.00
O-2. Postage and Supplies, Delegation	25.00

Total Item 7\$ 86,305.00

Item 8. Domestic Relations Court:

A. Salaries:

A-1. Judge	\$ 4,800.00
A-2. Probation Officer	4,700.00
A-3. Secretary	3,450.00
A-4. Assistant Probation Officer	3,450.00
A-5. Intake Worker	3,200.00

B. Travel Allowance:

B-1. Probation Officer	300.00
B-2. Assistant Probation Officer	500.00

Provided, that the above shall be payable in equal monthly installments without the necessity of itemizing same.

C. Telephone, Stationery, Stamps and Office Supplies	1,950.00
D. Miscellaneous Expense Fund	300.00

Total Item 8\$ 22,650.00

Item 9. Miscellaneous:

A. Civil Air Patrol	\$ 400.00
B. Civil Defense, for expenses, supplies, equipment and administration	5,000.00
<i>Provided</i> , that the civil defense program of the county qualify to receive matching funds from State and Federal sources.	
C. Planning Commission	200.00
D. Greenwood Rescue Squad	1,200.00
E. Registration Board—supplement to salaries of members of board at \$200.00 per member	600.00
F. Greenwood County Share—Data Processing Office	15,000.00

Total Item 9\$ 22,400.00

- Item 10. Miscellaneous Contingent Fund for emergencies and unforeseen expenditures during the fiscal year 1964-1965, and for the auditing of county books \$ 12,500.00

Provided, in no event shall any portion of this fund be used for an account for which a specific appropriation is made herein. *Provided*, further, the financial books and records of the county for the preceding fiscal year shall be audited by such certified public accountant as shall be designated by the county legislative delegation, in accord with the provisions of Section 14-2221 of the 1962 Code.

Total Item 10 \$ 12,500.00

GRAND TOTAL \$612,807.25

Anticipated Revenue 1964-1965 other than taxation:

Fines, Forfeitures and Licenses	\$ 78,000.00
Insurance License Tax	46,000.00
Beer, Wine and Whiskey Tax	53,000.00
Delinquent Taxes	18,000.00
Delinquent Tax Cost and Execution Fees	12,000.00
Bank Tax	9,500.00
Reimbursement from industrial companies for constables	6,600.00
Revenue from Income Tax	55,000.00
State Contribution for Service Officer	4,815.00
National Forest Fund	6,500.00
Unpledged Revenue from gasoline tax	69,500.00
Miscellaneous income and interest	25,000.00

Total \$383,915.00

Balance to be raised by taxation \$228,892.25

SECTION 3. The amounts herein appropriated shall be paid out as near as practicable one-twelfth each month during the year 1964-1965, and if any item or salary has been overpaid for any month, such overpayment shall be deducted the following month. All accounts shall

be kept separate and distinct and expended only for the purposes for which appropriated; *provided*, the amounts herein appropriated for the specific items as set out herein shall not, nor shall any part thereof, be used for any other purpose except upon the written consent of the Senator and a majority of the members of the House of Representatives from Greenwood County. *Provided*, further, no claim or bill shall be approved or paid unless same shall state fully, under oath, what it is for, or give the kind or quality of thing or commodity which it represents, in addition to the amount and time furnished. The money herein appropriated for auto upkeep and travel and for other expenses of county officials shall be paid out only upon itemized claims which have been verified by the official incurring the expenses and approved by the Supervisor and the Clerk to the Finance Board.

SECTION 4. The Finance Board of Greenwood County, with the approval of the Senator and a majority of the members of the House of Representatives from Greenwood County, be, and they are hereby authorized and empowered to make regulations or take such action as may be necessary under any emergency which may arise before the convening of the next session of the General Assembly, for the financing of the affairs of Greenwood County, both the general county matters and all school matters, with the further provision that a full and complete record of any action taken under the provisions of this section shall be kept by the Secretary of the Finance Board; *provided*, before any action is taken by the Finance Board in connection with this section, it shall call a joint meeting of the members of the Greenwood County Legislative Delegation in the General Assembly and the Finance Board to discuss such action.

SECTION 5. In case of emergency the Finance Board of Greenwood County may with written approval of the Greenwood County Legislative Delegation borrow sufficient funds to carry out the terms of this act or to meet such emergency, pledging as security therefor any surplus in the sinking fund, general fund, or by tax levy when approved by the Delegation.

SECTION 6. Immediately upon receiving tax duplicates from the County Auditor, the County Treasurer shall cause to be mailed to each taxpayer listed thereon whose post office address is available, a written or printed notice stating thereon the amount of taxes assessed against the said taxpayer for the current year, with such other in-

formation as the County Treasurer may deem desirable. This service to the taxpayer being gratuitous, no obligation shall rest upon the county or State, or County Treasurer for any failure or mistake on the part of the County Treasurer in giving or failing to give the notice.

SECTION 7. The Senator and a majority of the members of the House of Representatives from Greenwood County after consulting with the Superintendent of Education and the trustees of the respective school districts as to their respective needs are hereby authorized to determine and fix the levy for school purposes for each school district in Greenwood County. The school trustees in each district in Greenwood County are hereby directed to see that all claims presented for payment are duly itemized and verified and shall state the purpose for which the said claims are drawn and the County Superintendent of Education is hereby prohibited from approving any claims unless so drawn.

SECTION 8. There is hereby levied on all the taxable property of Greenwood County such millage as shall be determined by the Senator and the majority of the Greenwood County Legislative Delegation for the following purposes: clerical assistance to the board, compensation and travel expenses of the appointed members of the county board of education, adult education, aid for school bus transportation, salary supplement and travel of superintendent of education, and for such other educational purposes as may be determined by the county board of education. Each of these members shall be paid five dollars per day for each day's attendance on meetings of the board, travel at the rate of five cents per mile in going to and from the place of meeting and the secretary in addition thereto shall receive five dollars per month. The auditor is hereby authorized to put on the books, and the treasurer to collect and hold the proceeds therefrom, subject to the orders of the county board of education.

SECTION 9. Any officer or employee who disregards any of the provisions of this act without the written consent of the Senator and a majority of the members of the House of Representatives from Greenwood County, kept on file in the office of the county treasurer, shall be guilty of a malfeasance in office and subject to removal, in addition to the punishment now provided by law.

SECTION 10. A majority of the qualified electors of Greenwood County having voted in favor of financial support of Lander College

at the election held on May 2, 1951, the Auditor of Greenwood County is authorized and directed to levy, and the Treasurer of Greenwood County to collect, a tax not to exceed four mills on all the taxable property in Greenwood County, the proceeds of which shall be used in conjunction with other college revenues to defray the operating expenses of the college.

SECTION 11. The finance board will pay claims out of the appropriation of Item 5-B for the benefit of patients who are citizens of Greenwood County only when submitted in an itemized form by the hospital rendering the services, showing the name of each person hospitalized supported by the affidavit of the proper officer of the hospital and certificate of the department of public welfare to the effect that they have examined the person's financial ability, and that they have found such person financially unable to pay for his hospitalization, provided that claims submitted for payment will not exceed the actual cost of services rendered which will include only ward rates.

The department of public welfare is hereby designated as the agency to make financial investigations for those patients requesting charity hospitalization, as provided for by an act of the General Assembly, 1958, entitled "An Act To Prescribe The Duties And Responsibilities Of The Greenwood County Department of Public Welfare Concerning Indigent Patients To Receive Hospital And Medical Care At The Expense Of The County."

Provided, that no person shall be hospitalized as a charity patient for a period of time in excess of ten days unless the finance board shall have previously approved a longer stay. The finance board may approve a longer stay if it is made to satisfactorily appear from statements from the superintendent of the hospital, the doctor in charge of the patients, and the department of public welfare that a longer stay is absolutely necessary from the standpoint of the patient and the financial condition of the patient warrants a further extension of charity from the county. No extension shall be for a period in excess of ten days. *Provided*, further, that in no event shall more than four thousand eight hundred dollars be expended or obligated in any one calendar month for all charity patients.

SECTION 12. Members of county boards and commissions and county employees using their own automobile in travel on county business shall receive reimbursement therefor at the rate of nine

cents per mile actually traveled on county business, to be paid from appropriations provided therefor. *Provided*, that this section shall not apply to county officers for whom there is appropriated a lump sum travel allowance.

SECTION 13. The county treasurer is hereby authorized and directed to publish in the county newspapers a statement reflecting the financial condition of the county as of December 31, 1964, and June 30, 1965.

SECTION 14. All actions or disbursements taken or made during the current fiscal year, as a result of any resolution or action by the Legislative Delegation of Greenwood County, are hereby validated, ratified, confirmed and declared to be legal and binding.

SECTION 15. Monies accruing to Greenwood County from the one cent gasoline tax for the fiscal year 1964-65 shall be used and are hereby appropriated as follows:

ESTIMATE OF FUNDS TO BE RECEIVED \$192,000.00

(1) The sum of sixty-two thousand dollars, or the necessary amounts, in payment of principal, interest and fiscal agents fees of road bonds and notes;

(2) The sum of sixty-nine thousand five hundred dollars to be applied on the appropriations herein provide for by item one of this act;

(3) The sum of thirty thousand dollars to the City of Greenwood for street improvements;

(4) The sum of two thousand five hundred dollars to the Town of Ninety Six for street improvements;

(5) The sum of one thousand dollars to the Ware Shoals Water and Sewer District for street improvements and maintenance;

(6) The sum of nineteen thousand dollars for the purchase of automobiles and equipment for the road maintenance program;

(7) The sum of eight thousand dollars for the payment of obligations becoming due upon road reimbursement contracts.

Provided, however, the sums appropriated in items 3, 4 and 5 of this section shall not become due and payable until the amounts above pledged for items one and two have been paid or the funds therefor set aside.

SECTION 16. Any surplus in the general fund of the county or any funds accruing from any other source to the credit of the General

Fund for Greenwood County during the fiscal year shall be used as a contingent fund and spent on the authorization of a majority of the Greenwood Legislative Delegation, including the Senator.

SECTION 17. If any clause, phrase, sentence, paragraph or section of this act shall be held invalid, the same shall not affect the validity of remaining phrases, clauses, sentences, paragraphs or sections.

SECTION 18. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1386, H2765)

No. 1257

A Joint Resolution To Provide For Additional Members Of The Board Of Registration For Greenwood County In 1964 Only.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Additional members or Greenwood County Board of Registration.—Notwithstanding any other provision of law to the contrary in Greenwood County the board of registration shall consist of six additional members to serve during the week of May 4, 1964 only. The members shall be appointed by the Governor upon the recommendation of a majority of the Greenwood County Legislative Delegation.

SECTION 2. Assignments.—Two of such members shall perform their duties in School District 50, two in School District 51, and two in School District 52, and be under the supervision of the chairman of the county registration board.

SECTION 3. Duties.—Such members shall prepare an itinerary which shall include each precinct and cause the same to be published in a newspaper having general circulation within their respective school districts.

SECTION 4. Qualifications and compensation.—Such members shall possess the same qualifications and be subject to the same laws as regular members of the board and shall receive ten dollars per day for each day of actual performance of duty and seven cents per mile for official travel connected therewith.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R938, H2407)

No. 1258

An Act To Authorize The State Highway Department And The South Carolina Wildlife Resources Department To Enter Into An Agreement For The Construction Of Roads And Recreation Facilities In Hampton County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Highway Department and Wildlife Resources Department may make agreements to construct roads and recreation facilities in Hampton County.—The State Highway Department and the South Carolina Wildlife Resources Department are authorized to enter into a cooperative agreement for the construction of access roads and recreation facilities in Hampton County.

The agreement may provide for the State Highway Department to prepare the necessary plans; provide construction engineering and inspection; and award the necessary construction contracts, subject to the written approval of the South Carolina Wildlife Resources Department. All such contracts shall provide for payments for work performed to be made by the South Carolina Wildlife Resources Department from its funds. Upon completion of the construction work, the State Highway Department shall reimburse the South Carolina Wildlife Resources Department out of Farm-to-Market Construction Funds apportioned to Hampton County not exceeding the actual cost of constructing any such secondary roads. The State Highway Department shall pay from its Farm-to-Market Construction Funds apportioned to Hampton County the cost of engineering and inspection. The roads shall become a part of the State Highway Secondary System upon their completion.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R1125, H2346)

No. 1259

An Act To Authorize The South Carolina Wildlife Resources Department To Acquire Land In Hampton County For Fish And Wildlife Projects.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Wildlife Resources Department may create wildlife restoration projects in Hampton County.—The South Carolina Wildlife Resources Department is hereby authorized to acquire land in Hampton County for the purpose of creating artificial public fishing lakes, establishing fish hatcheries and fish nurseries, establishing wildlife management areas in conjunction with the federal government, or otherwise, and engaging in any other approved wildlife restoration projects.

SECTION 2. Condemnation proceedings.—In order to carry out the purposes of this act the power and authority of condemnation is hereby conferred upon the South Carolina Wildlife Resources Department. This power shall be exercised to condemn only such property as is necessary, useful or convenient for the purposes of this act. All land required shall be in fee simple and just compensation shall be paid therefor. The condemnation procedure shall be the same as provided for in Sections 25-54 through 25-64 of the 1962 Code. *Provided*, that in the event any person holding an interest in the property refuses to accept the offer of the South Carolina Wildlife Resources Department, the amount offered shall be tendered to the Circuit Court whereupon the title and right of possession of such property shall vest in the South Carolina Wildlife Resources Department. *Provided*, further, that any benefits to the remaining land brought about by the construction of any lake shall be used as an offset to the value of the land taken and any depreciation of the remainder.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1168, H2697)

No. 1260

An Act Removing From The State Highway System And Authorizing The Closing Of A Portion Of Fourth Street In The Town Of Estill; And Authorizing The Conveyance Thereof To The South School District Of Hampton County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Estill may close portion of Fourth Street.—That portion of Fourth Street between Morrison Avenue and Ellis Avenue in the Town of Estill, Hampton County, is hereby removed from the State Highway System and the Town Council of Estill is authorized to close that portion so removed and to convey all of the right, title and interest of the town therein to the South School District of Hampton County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1212, H2574)

No. 1261

An Act To Provide For The Levying Of Taxes For Ordinary County And Road Purposes In Hampton County For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of sufficient number of mills to pay the appropriations in Hampton County herein made, the amount of such millage to be determined by the county auditor and the county treasurer, is hereby levied upon all the taxable property of Hampton County for county purposes for the fiscal year beginning July 1, 1964, and ending June 30, 1965, as follows:

Item 1. Roads and Bridges:

1-A. Chain gang employees

- | | |
|--|-------------|
| 1. Guards (2) one at \$3,150.00; and one at \$1,800.00 | \$ 4,950.00 |
| 2. Tractormen (2) one at \$3,480.00; and one at \$3,120.00 | 6,960.00 |

3. Machine operators (2) one at \$2,220.00; and one at \$2,220.00	4,440.00
1-B. Chain gang, convicts and supplies	6,400.00
1-C. Bridges and culverts	8,000.00
1-D. Tractors and machines	5,000.00
Repairs and supplies	12,000.00

Total, Item 1 \$ 47,750.00

Provided, that the supervisor shall have the right to use gasoline and motor oils in his private automobile while on the county's business.

Item 2. County officers and clerks:

2-A. Attorney, salary	\$ 780.00
2-B. Auditor, salary	1,000.00
Auditor, expense	800.00
Tax assessment and appraisal director	3,600.00
Assessor	3,000.00
Part-time assistants (2)	4,000.00
Clerk	2,400.00
Mileage	2,000.00
Supplies	350.00
2-C. Clerk of Court, salary	2,700.00
Deputy clerks (2) one at \$3,180.00; and one at \$2,400.00	5,580.00
2-D. Coroner, salary	720.00
2-E. County Board of Commissioners:	
Supervisor, salary	4,900.00
Supervisor, expense	600.00
Commissioners (2)	3,220.00
Clerk	2,100.00
2-F. Judge of Probate, expense	2,100.00
Clerk	2,400.00
2-G. Magistrates and Constables:	
Magistrate, Goethe Township	2,400.00
Constable, Goethe Township	1,800.00
Magistrate, Lawton Township	1,800.00
Constable, Lawton Township	1,500.00
Magistrate, Peebles Township	3,000.00
Constable, Peebles Township	2,400.00
Constable, Peebles Township, expense	1,200.00

Magistrate, Pocatoligo Township	1,800.00
Constable, Pocatoligo Township	1,500.00
Report clerk	120.00
2-H. Physician, salary	780.00
2-I. Sheriff, salary	2,400.00
Sheriff, expense	3,000.00
Uniforms	1,000.00
Deputy Sheriff (1) salary	2,000.00
expense	2,475.00
Deputy Sheriff (1) salary	2,100.00
expense	2,700.00
Part-time deputy	600.00
Jailor, salary	500.00
Jailor, expense	1,480.00
Automobile maintenance	400.00
Contingent fund	200.00
2-J. Tax Collector	3,000.00
Tax Collector, expense	1,600.00
2-K. Treasurer, salary	3,000.00
Treasurer, expense	350.00
Mailing tax notices	100.00
2-L. Clerk for Auditor and Treasurer	4,200.00
<hr/>	
Total, Item 2	\$ 91,655.00
Item 3. Board and Public Services:	
3-A. Board of Tax Equalization	\$ 300.00
3-B. Farm agent, salary	600.00
Assistant farm agent, salary	2,700.00
Clerk, salary	600.00
4-H Club work and miscellaneous supplies	650.00
3-C. County Home Demonstration Office:	
Clerk, salary	1,320.00
Negro Home Agent, salary	720.00
Clerk, Negro Home and Farm Agent	1,200.00
Demonstration material and office expenses	165.00
3-D. Court expenses (jurors, bailiffs and jury child, ten dollars each per diem; mileage each juror, bailiff, jury child and witnesses, eighteen cents per mile one way per term of court)	4,500.00

3-E. Department of Public Welfare:	
Expenses	2,000.00
Relief	4,500.00
3-F. Forestry Board (meetings, members five dollars per diem each, and fourteen cents per mile one way per board meeting)	75.00
3-G. Health Centers (including Varnville, Yemassee and Estill):	
Nurses (2) salary supplements	2,280.00
Clerk, salary supplement	360.00
Insect control, 2 operators \$50.00 per week payable bi-weekly, not to exceed a 20 week season ..	2,000.00
Chest x-ray clinic, technician services	600.00
Clinics, 2 per month, \$12.00 each for physicians' services as requested	288.00
Operating expenses	1,500.00
3-H. None	
3-I. Jail expenses:	
Dieting prisoners	3,000.00
Medical expense for prisoners	100.00
Transportation of prisoners	100.00
Repairs and supplies	600.00
Bloodhounds, feed and medicine	200.00
3-J. Library services:	
Contributions (expend subject to Section 16) ..	4,511.81
Expenses	900.00
3-K. National Guard units funds, donations (expend subject to Section 16)	1,500.00
3-L. Post mortems, inquests and pauper funerals ...	800.00
3-M. S. C. Retirement System, Federal Social Security contributions for county employees and S. C. Police Officers Retirement System	7,200.00
3-N. Supervisors of Registration (3), salaries	1,200.00
3-O. Vital statistics, registrars of births and deaths ..	125.00
3-P. Veterans Service Office:	
Service Officer, salary	2,400.00
Service Officer, expense	873.00
Clerk, salary	2,400.00
Travel expense (meetings, veterans affairs) office expense	500.00
Total, Item 3	\$ 52,767.81

Item 4. Operation and upkeep, offices, buildings and grounds:

4-A. Publishing supervisor's report and legal notices of auditor and treasurer\$ 125.00

4-A. 1. Watermelon Festival (expend subject to Section 16) 500.00

4-B. Auditing and bond premiums:

Auditing service, including annual settlement .. 1,800.00

Bond premiums, officers and employees 775.00

4-C. Utilities and insurance (including Workmen's Compensation premiums on county employees)

Electric service 4,700.00

Fuel 1,200.00

Water service 800.00

Insurance 2,000.00

Workmen's Compensation premium 1,200.00

4-D. Grounds beautification (expend subject to Section 16) 300.00

4-E. Janitor service (including Armory) 2,560.00

Provided, courthouse janitor helper may be paid not over \$10.00 weekly by treasurer on claim approved by clerk of court.

4-F. Postage, stationery and office supplies 4,200.00

Provided, postage, p. o. box rent, postal fees may be paid by treasurer against claim of any county officer and held as cash item with postmaster's receipt attached.

4-G. Repairs and supplies:

General maintenance 1,625.00

Sheriff's radio system 1,875.00

Teletype service 720.00

4-H. Rent, Library, Hampton, S. C. 660.00

4-I. Telephone rentals, toll calls and telegraph service 2,800.00

Total, Item 4\$ 27,840.00

Item 5. Miscellaneous:

5-A. Tax refunds, street taxes to towns and S. C. Sales Tax, also including tax exemption granted new industry\$ 3,000.00

5-B. None

5-C. Civil defense 1,250.00

5-D. Development board (expend subject to delegation approval) 2,500.00

Total, Item 5\$ 6,750.00

1964-65 APPROPRIATION GRAND
TOTAL FOR FISCAL YEAR\$226,762.81

Less: Estimated Revenues other than property taxes:

Alcoholic Liquor Tax\$ 14,900.00

Bank Tax 1,600.00

Beer and Wine Tax 4,000.00

Fines 18,000.00

Gasoline Tax 76,000.00

Income Tax 20,500.00

Insurance License Fees 10,750.00

Miscellaneous 2,000.00

Provided, except that radio rental and maintenance fees received from municipalities shall be added to item 4-G, Sheriff's radio system.

Rents 2,200.00

Tax execution collections 6,000.00

Tax execution fees 2,500.00

Veteran Service Office 4,173.00

Total Estimated Revenues other than current property taxes\$162,623.00

AMOUNT TO BE RAISED BY COUNTY
TAX LEVY, INCLUDING COMMUTA-
TION ROAD TAX\$ 64,139.81

Provided, that the County Attorney of Hampton County is hereby required to give each county officer of the county advice when requested for same; *provided*, further, that the Farm Demonstration Agent shall be appointed by the proper authorities by and with the consent of the Legislative Delegation from Hampton County, and shall be subject to removal on request of the legislative delegation.

Provided, further, that all revenues provided for by law shall be collected and placed in ordinary county funds to supplement and provide sufficient funds for all ordinary county purposes.

Provided, that hereafter the janitors of the courthouse and the county office buildings shall work and perform their duties under the control and direction of the clerk of court and farm demonstration agent, respectively. All claims shall have the approval before payment by at least two members of the county board and such approval by any two members shall be sufficient to constitute the board's approval.

Provided, further, that nothing herein or otherwise shall be construed as limiting the total compensation, including expense allowance, of any county officer from fees, county or State appropriation, except that all tax execution fees collected shall be remitted to the county treasury for general county purposes.

SECTION 2. No road tax shall be levied except a commutation road tax of three dollars to be assessed and collected from each male citizen between the ages of twenty-one and fifty-five years, inclusive. No one shall be exempt from payment of the commutation tax, except persons totally disabled. All commutation taxes shall be expended on roads and bridges and all of the commutation tax collected from citizens of incorporated towns by the county treasurer shall be returned to the respective towns, except that no refunds of any commutation (street) tax shall be paid to any town for any person whose name does not appear on list filed as herein provided. *Provided*, that the town authorities of Brunson, Hampton, Varnville, Yemassee, Estill, Luray, Scotia and Furman be empowered to collect the commutation tax from residents within their respective corporate limits. *Provided*, further, that clerks of the respective towns, on or before March first of 1965 and each succeeding year, furnish a list duly sworn to, to the county auditor, and copies to the county treasurer and county board of commissioners, of all persons in their respective towns who are liable to such commutation tax.

SECTION 3. The auditor and treasurer of Hampton County shall be and they are hereby constituted a Sinking Fund Commission of

Hampton County, whose duty it shall be to handle all funds collected for the purpose of creating a sinking fund for the retirement of all bonds of the county.

No public funds of Hampton County shall be deposited in any bank or depository unless the bank or depository shall tender to the treasurer of Hampton County a security equal in value to the funds deposited. The security shall consist of either a surety bond executed by a licensed surety company, United States Government Bonds, bonds of the State of South Carolina, Federal Land Bank Bonds, or bonds of any political subdivision of the State of South Carolina, after Federal Deposit Insurance Corporation guarantees have been considered, or such other security or securities as shall be approved in writing from time to time by a majority of the legislative delegation.

On the maturity or payment of any bonded indebtedness of any school district in Hampton County by the county treasurer, the same may be paid by the county treasurer without securing a voucher therefor from the school district trustees, provided the county superintendent of education authorizes such payment in writing.

SECTION 4. The clerk of the county board of commissioners may, as his discretion, and in lieu of requiring submission of salary and expense claims monthly, prepare a monthly payroll in duplicate listing each county employee with appropriations act item number, monthly salary and expense, less required and authorized pay deductions and issue county board of commissioners' "County Check" (warrant) in the usual manner for balance due to each county employee at the close of the last day of each month. The county check (warrant) number, date and amount shall be entered on the appropriate line on the payroll. The county check (warrant) shall be drawn against the county treasurer, payable from the "County Fund" account in the usual manner. Each monthly payroll shall be approved by the county board of commissioners and duplicate filed with the county treasurer. The county board of commissioners or its clerk may withhold, or delay issuing a county check (warrant) to any employee when believed necessary to protect the county's interest, including settlement of tax executions held by the tax collector when notified in writing and a copy is mailed to employee concerned.

SECTION 5. The county supervisor and the county commissioners are hereby prohibited to issue any pay check (warrant) to any

magistrate of Hampton County until the magistrate has filed report and remitted all funds, including fines and costs due Hampton County to the county treasurer for the previous month; *provided*, all funds due the South Carolina Wildlife Resources Department have been remitted and the department has not notified the county board of commissioners in writing otherwise.

SECTION 6. The county supervisor, upon the request of any county commissioner, is hereby authorized to furnish from the chain gang a truck and sufficient number of convicts to do such work on roads and bridges in the county as such commissioners deem necessary.

SECTION 7. All lumber purchased shall be with the approval of two county commissioners and the county supervisor.

SECTION 8. All notices by the county supervisor, county treasurer, county superintendent of education, county auditor and other county officers, provided by statute to be given, may be published in any newspaper published or having circulation in Hampton County; and one hundred twenty-five dollars set out in Item 4 is for the payment in full of such notices as are published in any paper during the year. *Provided*, however, that the word "notices" above used shall not be deemed to include notices and advertisements of tax sales, and the sum of one hundred twenty-five dollars is not in payment of the costs of advertising tax sales.

SECTION 9. The county supervisor, treasurer, auditor and clerk of court shall compose a board to purchase all books and stationery for the county.

SECTION 10. No property owned by Hampton County shall be sold, rented or leased unless the approval of the legislative delegation shall be first secured.

SECTION 11. The courthouse and grounds shall be under the custody and control of the clerk of court for Hampton County, except that the county office building shall be under the custody of the farm demonstration agent for Hampton County.

SECTION 12. Wherever in the conduct of the affairs of the county it becomes necessary for the county treasurer to expend money for any matters and things not foreseen at this time, and when the legislative delegation shall approve the expenditure in writing and the

approval has been signed by both members thereof, then such expenditures made under such authority are hereby validated.

SECTION 13. From and after the effective date of this act the Sheriff of Hampton County shall not be required to personally serve grand jurors or petit jurors requiring their attendance upon either the Court of General Sessions or the Court of Common Pleas, but such service shall be made by mailing a summons to the last known address of such prospective jurors and no charge shall be made or collected for such service. *Provided*, that the presiding judge may otherwise order service made personally by the sheriff and in such event the sheriff shall be paid for same the amounts now allowed for same. Likewise, hereafter the sheriff of Hampton County shall not be required to serve or summons witnesses in criminal cases except by subpoena duly issued on motion of solicitor or as ordered so to do by the presiding judge. Such witnesses may be served by mailing a summons to the last known address of such witnesses for which no charge shall be made or collectible; and it shall be the duty of all magistrates in Hampton County to place under bond all witnesses for the State, blanks for same to be furnished by the clerk of court to the various magistrates.

SECTION 14. All persons actually in the Armed Forces of the United States on active duty shall during service be exempted from payment of personal property taxes on one vehicle, including one in wife's name if none in husband's name in tax book, and from payment of road, poll and dog taxes levied for 1964 and for any prior year when the above conditions have been met. The county auditor, treasurer and tax collector are authorized to abate or mark "Nulla Bona" such taxes as may be levied; and the county auditor may approve county claim for refund when such taxes have been paid; and in all the foregoing cases be subject to presentation of satisfactory evidence of service in the Armed Forces, provided no dog tax shall be levied for 1964 against any person.

SECTION 15. In the event the clerk of court should have in his official capacity any funds which have been unclaimed for as long as five years, he is hereby authorized to pay same over to the county treasurer, taking his receipt for the same. The county treasurer shall deposit any amount so received in the general fund.

SECTION 16. Such funds as are herein appropriated as county contribution, donation or other support of any county agency or civic

organization shall be made available on county check (warrant) issued by the county board of commissioners drawn on the county treasurer on letter request by such agency or organization for actual amount of funds determined to be needed and how arrived at, supported by its current year's (fiscal or calendar) financial operations statement to date of the letter request, with advice that a copy of the previous year's audit has been filed for record with the office of the clerk of court for Hampton County. Only after the county board of commissioners has made favorable recommendations, not in excess of appropriation item and the later written approval of the county legislative delegation, will such county check (warrant) be issued for approved amount; however, the approved amount may be disbursed in one or more county checks (warrants) in the discretion of the county board of commissioners with regard to funds available in the county treasurer's office for the county fund general purposes.

SECTION 17. All county officers for Hampton County may close their respective offices at twelve o'clock noon on each Thursday and Saturday throughout the year and keep same closed for the remainder of the day and all day of the Watermelon Festival; except, that any officer may keep his office open for the necessary performance of his duties.

SECTION 18. Any new manufacturing enterprise claiming exemption from county taxes (other than taxes for school purposes) for a period of five years from their establishment under the provisions of Section 8 of Article VIII of the State Constitution shall make letter request to the county auditor who will determine if the new manufacturing enterprise has made investment of not less than fifty thousand dollars or additions to existing manufacturing enterprise of not less than fifty thousand dollars, as is evidenced by Hampton County property return or certified documents filed with the South Carolina Tax Commission of the enterprise. Upon a favorable finding by the county auditor, the request shall be submitted to the county legislative delegation for approval. The county treasurer shall establish and maintain complete file on each tax exempt enterprise. The county treasurer is authorized in lieu of exempt amount of taxes to execute county claim in his favor as county treasurer for the amount and to handle same as a "Cash Item" in his county fund account for reimbursement on "Next First Monday" by the

county board of commissioners at the same time payment of balance due taxes is made by any such enterprise. *Provided*, any new manufacturing enterprise may submit evidence under oath by its owner, partner or officer if a corporation, if their Hampton County property tax return or certified documents filed with the South Carolina Tax Commission does not reflect as much as fifty thousand dollars investment to the county auditor for reference to the county legislative delegation. *Provided*, further that after approval for exemption from county taxes (other than taxes for school purposes) and in any subsequent year when the records and/or documents aforementioned do not reflect as much as fifty thousand dollars investment being maintained, then such prior approval shall be considered revoked and no longer in force and effect.

SECTION 19. Any person traveling on business for Hampton County shall receive nine cents per mile as travel expense.

SECTION 20. This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1361, H2505))

No. 1262

An Act To Provide For The Operation Of The Government Of Horry County And For The Levy Of Taxes For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied upon all of the taxable property in Horry County a sufficient number of mills, not to exceed fifteen mills, to be determined by the auditor from assessment of the property therein, which together with fines, forfeitures, gasoline tax, fees collected by various officers, and all income of the county, shall raise the amount herein appropriated. For county purposes for the county for the fiscal year 1964-1965 there is appropriated the following :

Item 1. Clerk of Court's Office—Expenses:

Clerk of Court	\$ 6,583.50
Deputy Clerk of Court	5,082.00

	First Assistant—Steno-Clerk and Bookkeeper . . .	3,465.00
	Three Assistant Steno-Clerks @ \$2,961.00	8,883.00
	Part-time Assistant Steno-Clerk	1,600.00
	Wages account for bailiffs, court crier, and jury boy	5,000.00
	Jurors and Witness fees	27,000.00
	<i>Provided, that jurors in Magistrates' Courts shall be paid \$2.00 per day or a fraction thereof.</i>	
	Contingent Court Fund	3,000.00
	<hr/>	
	Total, Item 1	\$ 60,613.50
Item 2.	Treasurer's Office—Administrative Expense:	
	Treasurer—County Supplement	\$ 3,024.00
	Deputy Treasurer	5,082.00
	First Assistant Steno-Clerk	3,465.00
	Two Assistant Steno-Clerks @ \$2,961.00	5,922.00
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	Total, Item 2	\$ 17,493.00
Item 3.	Auditor's Office—Administrative Expense:	
	Auditor—County Supplement	\$ 3,024.00
	Deputy Auditor	5,082.00
	First Assistant Steno-Clerk	3,465.00
	Four Assistant Steno-Clerks @ \$2,961.00	11,844.00
	Equalization Board	2,000.00
	Travel for Executive Secretary for County Board of Assessors @ 7 cents per mile not to exceed . .	1,000.00
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	Total, Item 3	\$ 26,415.00
Item 4.	For Policing Horry County:	
	Sheriff	\$ 6,583.50
	Chief Deputy	4,900.00
	Deputy Sheriff	4,800.00
	Secretary to Sheriff's Office and Coroner	3,465.00
	County Police Commissioners, six @ \$440.00 . .	2,640.00
	Chief of County Police	5,876.64
	Sergeant, County Police	4,900.00
	County Police, seven @ \$4,800.00	33,600.00
	Secretary to County Police Commission	2,961.00
	County Police for Windy Hill Beach	2,772.00

County Police for Little River	780.00
County Police for Atlantic Beach	780.00
County Jailors at Nixons Cross Roads, two @ \$2,205.00 each; <i>provided</i> , that the jailors shall be under the jurisdiction of the County Police Com- mission	4,410.00
Constable assigned to the office of Magisterial District No. 1	2,310.00
Travel for Constable assigned to Magistrate of District No. 1	600.00
Jailor for Horry County	3,118.50
Three assistant jailors and night radio operators @ \$3,024.00	9,072.00
<i>Provided</i> , that initial uniforms shall be furnished by the county, and thereafter \$75.00 per year per officer for maintenance and replacements.	
<i>Provided</i> , further, that upon termination of em- ployment all uniforms and accessories shall be turned in to the county.	
Jail Matron	1,470.00
For operation and maintenance of County-owned Law Enforcement Equipment	27,500.00
Horry County Jail at Conway	18,000.00
<i>Provided</i> , that all municipal corporations of Horry County shall be charged the sum of \$1.50 per day for the dieting of prisoners in any Coun- ty Jail.	
Conveying Prisoners (For out-of-County meals only)	500.00
For purchasing Law Enforcement Vehicles and Equipment	15,000.00
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Total, Item 4	\$156,038.64

Item 5. Probate Judge's Office—Administrative Ex-
pense:

Probate Judge	\$ 5,533.50
Deputy Probate Judge	3,465.00
Steno-Clerk	2,961.00
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Total, Item 5	\$ 11,959.50

Item 6. Coroner, Probation and Tax Collector's Offices	
—Administrative Expenses:	
Coroner	\$ 1,575.00
Travel for Coroner	1,500.00
Assistant Steno-Clerk to Tax Collector	2,961.00
Part-time Secretary for Probation Office	735.00
Travel for Probation Officer	600.00
Inquest and Lunacy	1,200.00
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Total, Item 6	\$ 8,571.00
Item 7. County Court Judge's Office—Administrative Expenses:	
County Judge	\$ 12,600.00
Court Stenographer for County Court	4,504.50
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Total, Item 7	\$ 17,104.50
Item 8. Magistrate's Office—Administrative Expense:	
Magistrate at Aynor—Salary	\$ 2,520.00
Magistrate at Bayboro—Salary	2,520.00
Magistrate at Myrtle Beach—Salary	2,520.00
Magistrate at Green Sea—Salary	2,520.00
Magistrate at Nixons Cross Roads—Salary	2,520.00
Magistrate at Loris—Salary	2,520.00
Magistrate at Floyds—Salary	2,520.00
Magistrate at Conway—Salary	3,150.00
Magistrate's Secretary at Conway	2,961.00
Wages Account for Steno-Clerk for Magistrate's Courts other than Magisterial District 1	800.00
<i>Provided</i> , Magistrate's Secretary must be able and it shall be her duty to take down in shorthand and transcribe the testimony in all cases appearing in the Magistrate's Court, where such testimony is requested by either side of any litigated case. <i>Provided</i> , further, that the funds last provided for above shall be disbursed only upon approval by the county board of commissioners upon certification by the magistrate concerned that the recipient has performed stenographic services concerning trials only tried before the magistrate. <i>Provided</i> , further, that a list	

of available secretaries shall be submitted to the county purchasing agent of those qualified to take and transcribe shorthand and with a knowledge of typing, from each of the magistrates prior to disbursement of any of the above fund. *Provided*, further, that a request shall be made from the magistrate to the county purchasing agent prior to trial, so that an adequate record may be made by the purchasing agent of the names of the respective parties to the trial or hearing. *Provided*, further, that no more than \$15.00 may be paid for any one trial or hearing. *Provided*, further, that during the General Sessions Court all county police officers shall be available to the Court and available to aid and assist the Sheriff in calling witnesses and all other work necessary for the orderly procedure of the Court. *Provided*, further, that all county police officers shall serve all subpoenas and civil papers sent to their area by the Sheriff or attorneys or any other officer of the Court. Each county police officer shall make his return when called for, on any civil or criminal service. *Provided*, further, no Magistrate in Horry County shall receive compensation for his services until his monthly report is accompanied by a probated statement to the effect that regular office hours have been established. Each magistrate shall establish regular office hours at his own discretion, consisting of a least four hours per day, and as much longer as necessary to transact the business of the office; and that magistrates in the incorporated areas of the county maintain office hours the same as now maintained or as long as necessary to transact the business of the office, not including Sundays or legal holidays. *Provided*, further, that any recommendations made by the certified public accountant as set forth by his annual audit, and approved by the county board of commissioners, shall have

the full force and effect of law and no department head in Horry County shall receive his salary until such recommendations as approved by the county board of commissioners have been adopted and put in full force and effect by such department head.

Total, Item 8	\$ 24,551.00
Item 9. (A) County Board of Commissioners—Administrative Expenses:	
Chairman of County Board—Salary	\$ 6,583.50
Commissioners—Travel expenses six @ \$440.00 each	2,640.00
Clerk of County Board and Purchasing Agent ..	5,250.00
Travel for Purchasing Agent	1,000.00
Secretary to County Board and Delegation	3,187.80
<i>Provided</i> , that the secretary shall be employed by the Board of Commissioners.	
Courthouse Custodian—employed by County Board	3,150.00
Travel for Custodian	480.00
Horry County Development Board	20,000.00
<i>Provided</i> , that out of the above sum appropriated, the salaries of personnel shall be approved by a majority of the Horry County Development Board and a majority of the Legislative Delegation, including the Senator.	
Purchasing Agent's Account—	
For Purchasing Agent's Budget for purchasing supplies and equipment for county offices	40,000.00
Charities and Donations to be distributed by County Board in case of emergencies	1,500.00
Audit of County Offices	2,500.00
County Attorney	1,200.00
(B) Miscellaneous Expense—Disbursed as herein provided:	
Public Buildings—operation and maintenance ..	20,000.00
Rent Account	3,540.00
Insurance on Public Buildings	8,000.00
Social Security and Retirement	28,500.00

Police Retirement	5,000.00
Contingent Account	30,000.00
Officials' Bonds	2,000.00
Workmen's Compensation	3,500.00
County Employees Group Insurance Fund	4,000.00
Supplement, Game Wardens, five @ \$40.00 per month	2,400.00
Clerk—Horry County Registration Board	360.00
County Service Officer—Office Help	1,470.00
Service Officer—Travel	1,500.00
National Guard—Conway	1,600.00
National Guard—Myrtle Beach	1,600.00
<i>Provided, that funds for the National Guard shall be disbursed only after approval of vouchers by the Board of Commissioners.</i>	

Total, Item 9\$200,961.30

Item 10. Other Administrative Expense:

County Farm Demonstration Agent's Office:	
County Agent—Supplement	\$ 466.00
First Assistant County Agent	466.00
Two Assistant County Agents	700.00
Boys' 4-H Club Work (White)	250.00
Girls' 4-H Club Work (White)	250.00
Girls' J. H. A. Work (Ocean Drive)	800.00
Women's Home Demonstration Agent's Office:	
Material	75.00
Office Supplies	75.00
Negro Home Demonstration Agent	2,100.00
Material (Home Demonstration)	50.00
Negro Home Demonstration Agent's office help ..	2,100.00
Boys' 4-H Club Work (Negro)	100.00
Girls' 4-H Club Work (Negro)	100.00

Provided, that no new personnel attached to the County Farm Demonstration Agent's Office shall receive the supplement hereinabove provided until they have first worked with such office for a period of at least two years.

Total, Item 10\$ 7,532.00

Item 11. Appropriations for Miscellaneous Boards and Commissions:

Horry County Marketing Commission\$ 10,000.00

Provided, that out of the above sum appropriated, the Manager of the Horry County Farmers' Market shall receive such sum for salary as authorized by a majority of the legislative delegation, including the Senator.

Coastal Carolina Center, University of South Carolina (Scholarship Fund) 5,000.00

Civil Defense 2,000.00

Provided, the funds are to be disbursed only by approval of a majority of the legislative delegation, including the Senator.

Total, Item 11\$ 17,000.00

Item 12. (A) Health Department Expenditures:

County Health Unit:

Administrative Expenses\$ 22,573.00

For Indigent and needy Cancer and Crippled

Children patients 1,000.00

T. B. Association 1,000.00

(B) Welfare Department

Hospitalization, Foster Boarding Home Children 500.00

Welfare Department Administrative 12,630.00

Telephone Service 850.00

Provided, that this money shall be disbursed only on approval by the governing board of the Horry County Department of Public Welfare.

Vital Statistics 1,200.00

Total, Item 12\$ 39,753.00

Item 13. County Roads and Chain Gang:

Salaries (Guards, Truck Drivers, Machine Operators, etc.)\$103,000.00

Provided, that each employee shall receive his pay during inclement weather the same as any other time, and shall receive a five per cent pay increase over that received in the fiscal year 1963-1964.

Chain Gang (Feeding prisoners, clothing and supplies, etc.)	34,000.00
County Roads	100,000.00
Purchasing New Machinery and repairs	35,000.00
Total, Item 13	\$272,000.00
Item 14. Horry County Memorial Library	\$ 13,000.00
<i>Provided that the annual budget shall be approved by a majority of the legislative delegation, including the Senator.</i>	
Total, Item 14	\$ 13,000.00
GRAND TOTAL	\$872,992.44
ESTIMATED REVENUES AND AVAILABLE CREDITS:	
Income Tax	\$ 75,000.00
Gasoline Tax	198,500.00
Liquor Tax	50,500.00
Beer and Wine Tax	13,000.00
Insurance License Fees	43,500.00
Probate Judge, Health Department, Treasurer, Auditor, Tax Collector, Clerk of Court—Fees	78,000.00
Clerk of Court Fines and Magistrates' Fines	121,000.00
Bank Tax	5,500.00
Miscellaneous Revenues	55,500.00
Fees from Service of Civil Process and Bad Check Warrants	6,000.00
Total Estimated Revenue	\$646,500.00
TOTAL AMOUNT TO BE RAISED BY TAXES	\$226,492.44

SECTION 2. The County Board of Commissioners is hereby instructed and required to use the money herein appropriated for the purposes specified and for no other purpose, and it is hereby forbidden in any way to overdraw or exceed the appropriation herein made for any purpose whatsoever, except upon the written consent of a majority of the legislative delegation, including the Senator.

For the items covered in Section 1 of this act, it shall be unlawful for the clerk of the County Board of Commissioners or the Purchasing Agent of Horry County to draw or sign any warrant or drafts on the county treasurer overdrawing any appropriation or authorization. For the items covered in Section 1 of this act, it shall be unlawful for the Treasurer of Horry County to pay from funds in his hands any amount not covered by the appropriation herein made or authorized by the written consent of a majority of the legislative delegation, including the Senator. Any appropriations herein made may be increased or decreased by the written consent of a majority of the legislative delegation, including the Senator. *Provided*, that the County Board of Commissioners is hereby required to prorate the amount of money herein appropriated for County Roads and Chain Gang and all other divisions and departments of the county government, except regular salaries which are to be paid monthly, on a quarterly basis, to the end that no department shall expend more than one-fourth of the appropriated funds during any quarterly period of the fiscal year beginning July 1, 1964, and ending June 30, 1965. *Provided*, further, that the amounts appropriated in Item 13 of this act shall be expended only after the written approval and authorization of a majority of the County Board of Commissioners. The County Board of Commissioners shall use as much as may be necessary of the amounts appropriated therein for setting up a road program in Horry County, which program shall be carried out by the chairman under the direction and control of the County Board of Commissioners.

SECTION 3. The jailor and/or matron shall receive no fees for dieting prisoners. The Horry County Police Commission shall have the duty to inspect the Horry County Jail at least once a month to see that it is kept clean at all times and that a jailor or county police officer is on duty at all times. The purchasing agent is authorized to make purchases of all food, supplies, equipment and any and all things necessary for the proper maintenance of the county jail and the food and clothing of the prisoners therein. The jailor is to act as jailor only, and he shall make no arrests outside of the jail, nor shall be allowed any compensation for the conveyance of prisoners. No person shall receive compensation for conveyance of prisoners.

SECTION 4. The County Board of Commissioners shall employ a certified public accountant (CPA) for the purpose of auditing

semiannually the books and examining the offices of Horry County, including the department of education, department of public welfare and the department of health and the County Board of Commissioners may make payment for such services not to exceed two thousand five hundred dollars, as provided in this act. Each member of the Legislative Delegation from Horry County shall be furnished a copy of the audit by the accountant making it.

SECTION 5. The County Board of Commissioners shall employ some suitable person who shall be designated custodian of the Horry County Courthouse and grounds, the custodian to serve in such capacity at the pleasure of the Board of Commissioners. The custodian shall be charged with the responsibility for all janitor service at the Horry County Courthouse, the Horry County Department of Education Building, the county office building on 4th Avenue, and the Horry County Memorial Library. The custodian of the courthouse and grounds is further charged with the responsibility of maintaining the grounds and protecting the shrubbery and such other duties as may be imposed upon him by the County Board of Commissioners. The custodian shall be given such assistants as the County Board of Commissioners may deem necessary.

SECTION 6. A majority of the legislative delegation, including the Senator, may employ a county attorney and pay same an amount not to exceed that provided for this purpose in this act. It shall be the duty of the county attorney to advise all boards, magistrates, and officers of the county and, in addition thereto, it shall be his duty to represent the county in all cases wherein the county's interest is affected, and he shall represent the sheriff's office and the county police in criminal proceedings when called upon.

SECTION 7. Before taking office each magistrate shall give bond in a sum to be fixed by the County Board of Commissioners, conditioned upon the faithful performance of his duties. The premiums on the bonds shall be paid by the county. The magistrates and coroner shall be required to put all material state witnesses under bond as now provided by law, and at least ten days before the meeting of the Court of General Sessions shall lodge all papers pertaining to the court with the clerk of court, except cases which happen within the ten-day period, and cases where defendants have demanded preliminary hearings in writing and for good cause the

magistrate has been unable to give a preliminary hearing. It shall be the duty of the sheriff and the chief of the county police to confer with the magistrates from time to time, familiarizing themselves with pending cases, attend inquests and see that witnesses are subpoenaed, placed under bond and paper lodged in the clerk's hands as herein provided. The sheriff and the county police shall cooperate with and assist the magistrates in preserving the peace and good order of the community.

SECTION 8. All books, supplies and material purchased under the provisions of this act shall be purchased by the Horry County Purchasing Agent as provided by special act.

SECTION 9. The Auditor of Horry County is hereby required to put the address of the taxpayer on each treasurer's duplicate. The Treasurer of Horry County is hereby authorized and directed to mail to taxpayers notice of taxes due in his office. Both the auditor and treasurer shall pay for the work required in this section from funds provided for clerical help in their respective offices, as provided for by this act. The failure of the treasurer to mail any tax notice shall in no wise relieve the taxpayer of obligation to pay such tax.

No county official or employee who is any way connected with the levying or collecting of taxes shall bid on any property at any tax sale, direct, indirect, or through a third party. Any violation of this provision shall immediately be brought to the attention of the County Board of Commissioners, and shall be prima facie cause for removal from office upon receipt of a recommendation to that effect by the County Board of Commissioners to the Governor or other proper official, and shall be prima facie cause for the immediate termination of employment.

SECTION 10. Twenty per cent of the liquor, wine and beer tax allotted to Horry County shall, as received by the treasurer, be paid to the Horry County Memorial Library Commission; the Commission shall use the funds for the operation of the Horry County Memorial Library, for the purchase of equipment, books and other necessities for the Horry County Memorial Library; and for the equipping and purchasing of equipment for the school libraries of Horry County, the funds to be spent and allotted to the libraries as the Library Commission, or a majority thereof, shall determine.

SECTION 11. A majority of the legislative delegation, including the Senator, shall employ the Horry County Tax Collector and up to four deputy tax collectors. The tax collector shall receive as compensation in lieu of salary the sum of one dollar for each execution collected and two per cent commission of all taxes collected. The deputy tax collector shall receive one dollar on each execution collected.

Provided, the Horry County Board of Commissioners shall prescribe the necessary procedure for the keeping of records and making of reports for the office of the tax collector, not otherwise covered by existing law, subject to the approval of a majority of the legislative delegation, including the Senator.

SECTION 12. The Clerk of the County Board of Commissioners and the Horry County Purchasing Agent shall furnish to the Senator and each member of the house delegation, monthly, a statement in detail showing each expenditure made during the month, for what purpose expended and amount of the expenditure, and the balance remaining in the account from which the expenditure was made. The Clerk of the County Board of Commissioners and the Horry County Purchasing Agent shall make a written report to each member of the County Board of Commissioners of his activities during the month and proposals that he intends to make to the County Board of Commissioners five days prior to the regular meetings of the County Board of Commissioners.

SECTION 13. The County Board of Commissioners shall furnish to the Senator, and each member of the house delegation, a statement before the fifteenth day of February of each year, showing its activities during each quarterly period, along with a report of the financial status of the account and any recommendations that it sees fit to make to the delegation. The County Board of Commissioners shall furnish to the Senator and each member of the legislative delegation a statement in detail showing a proposed county appropriations act for the following year and also any legislation which it thinks should be enacted.

SECTION 14. No magistrate shall receive any part of fees, compensation or mileage in connection with tax execution warrants except the one dollar allowed him by law. No county official shall receive any fees or compensation unless provided by law.

SECTION 15. The house now owned by Horry County on Second Avenue in the City of Conway, shall be used by the Jailor of Horry County as his residence. No part of the county jail shall be used for residential purposes.

SECTION 16. Any special authorization for county purposes to be hereafter made from the contingent account in Item 9B of Section 1 of this act by the County Board of Commissioners not in excess of one thousand dollars is hereby authorized. Sums in excess of one thousand dollars shall have the approval of a majority of the legislative delegation, including the Senator.

SECTION 17. All regular county employees receiving salaries or wages shall be allowed two week's leave with pay annually; *provided*, however that no employee shall be entitled to such leave until he has been employed by the county for a period of twelve consecutive months; *provided*, further that after being employed for twelve consecutive months, such employee shall be entitled to the leave for such twelve month period, and thereafter shall be entitled to such annual leave pro rata with the period of employment; *provided*, further, that annual leave shall not accumulate except for the initial twelve month period of employment. The administrative heads of all departments are hereby instructed and required to arrange their work so that each employee of the county shall be allowed the two weeks' vacation with pay with the least possible inconvenience to the work of the office or department affected. In addition the following legal holidays and no others shall be observed by the employees of Horry County: New Year's Day, Independence Day—July fourth, Labor Day—the first Monday in September, Armistice Day—November eleventh, Thanksgiving Day and Christmas Day. Whenever any of these fall on Sunday, the Monday following is prescribed.

The County Board of Commissioners shall determine the hours and days during which the county offices and various departments of the county will be open for business. It will further determine policy in regard to working hours for county employees.

SECTION 18. The clerk of court shall, after each term of court, make a detailed report to the County Board of Commissioners and the legislative delegation on the amount of jury and witness fees spent for the term of court; *provided*, that only two regular bailiffs shall be employed in Horry County.

SECTION 19. The County Board of Commissioners is hereby instructed to require out of the jurors and witness fees an itemized statement of all disbursements, such statement to be made after each term of court.

SECTION 20. The clerk of court's bond shall be twenty-five thousand dollars.

SECTION 21. Immediately after magistrate and city courts all prisoners sentenced to county chain gang shall be transferred to the county jail by the county police or sheriff's deputy serving the court and a deputy sheriff or the county police shall be instructed by the proper authority to transfer city prisoners to county jail on the same day of trial.

SECTION 22. All travel pay hereinabove provided for shall be paid on a monthly basis of not more than one-twelfth of the total amount appropriated therefor. No disbursement therefor shall be made unless a verified itemized statement of the travel involved shall be presented to the County Board of Commissioners for its approval.

SECTION 23. Any new employee filling any position for which funds are appropriated by this act shall receive ten per cent less during the first six months of employment, and five per cent less during the next six months of employment, than the amount appropriated for such position. Any person transferring from a lower to a higher paying position shall be considered as a new employee.

SECTION 24. All acts or parts of acts inconsistent herewith are repealed. If any section or provision of this act shall be held unconstitutional, such holding shall not affect, impair, or invalidate any of the remaining sections or provisions.

SECTION 25. This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R1368, H2742)

No. 1263

An Act To Authorize The Board Of County Commissioners Of Hampton County To Issue General Obligation Bonds Of The County, Not To Exceed Three Hundred Thousand Dollars, For The Construction Of State Highway Secondary Roads; To Provide That Such Roads Shall Be Constructed By The State Highway Department Pursuant To A Contract Of Reimbursement To Be Made Between The Board Of County Commissioners And The State Highway Department; To Prescribe The Conditions Under Which Such Bonds Are To Be Issued And The Reimbursement Contract May Be Made; And To Provide For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that Section 65-1075 of the 1962 Code provides for the continuance of the so-called Farm-to-Market or State Secondary Highway Program for the period to end June 30, 1972, and for the method by which funds available for such purpose should be apportioned among the counties of the State.

Pursuant to such program, funds were made available for Farm-to-Market Roads in Hampton County for the fiscal year ending June 30, 1964, in the amount of one hundred two thousand four hundred dollars, and it is to be reasonably anticipated that during each fiscal year throughout the period to end June 30, 1972, further substantial apportionments will be made.

In Hampton County it has been determined that an immediate need exists for further Farm-to-Market Roads, and that the Board of County Commissioners of Hampton County as established by Chapter 41, Title 14, Volume 3, of the 1962 Code, hereinafter called the "Board", should be empowered to raise not exceeding three hundred thousand dollars and to make such sum available to the State Highway Department which, in turn, should apply this sum to the construction of the most-needed county roads in Hampton County, which have been transferred to and thus become a part of the State's Secondary Highway System (Farm-to-Market Roads).

SECTION 2. Bond issue authorized—conditions.—If a suitable agreement can be reached between the Board and the State Highway Department providing that the State Highway Department shall con-

struct Farm-to-Market Roads in Hampton County to an extent mutually agreed upon and divert moneys which would otherwise be expended in future years for Farm-to-Market Roads in Hampton County, to the extent estimated to be necessary to meet the payment of the principal of the bonds herein authorized, the Board is authorized to issue general obligation bonds of Hampton County to the extent not to exceed three hundred thousand dollars.

SECTION 3. Issue.—The bonds authorized by this act shall be issued as a single issue.

SECTION 4. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or installments as the Board shall provide, except that the first maturing bonds of any issue shall mature not more than two years from the date which they shall be issued; not less than ten per cent of any issue shall mature in any year; and no bond shall mature later than June 30, 1972.

SECTION 5. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the Board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call for redemption, if any, and the notice thereof that must be given.

SECTION 6. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Hampton County, upon such conditions as the Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 7. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the Board shall provide.

SECTION 8. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the Board.

SECTION 9. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the Board shall by resolution prescribe.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Hampton County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Hampton County, and collected by the Treasurer of Hampton County in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in Hampton County, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking funds as may be necessary therefor; *provided*, that the ad valorem tax levy shall be reduced to the extent that there has been deposited with the county treasurer moneys derived from the apportionment herein authorized, on the occasion in each year when the ad valorem tax levy is to be made, and in all instances where an annual tax levy is so reduced, the moneys derived from such apportionment shall be applied to the payment of such principal and to no other purpose.

SECTION 12. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 13. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Hampton County Treasurer, and shall be deposited in a bond account fund and shall be expended and made use of by the Board as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be first applied to the expenses incident to the issuance of the bonds, and so much as remains thereafter shall be turned over to the State Highway Department and applied by it on Farm-to-Market Roads in Hampton County.

SECTION 14. Reimbursement agreement.—The State Highway Department is hereby authorized to reimburse Hampton County for all moneys turned over to the Highway Department by Hampton County pursuant to Section 13 (c) of this act. This reimbursement shall be made in annual installments, in amounts not exceeding the annual debt service on the bonds to be issued by Hampton County, out of the apportionment of funds accruing to Hampton County under the State Highway Department's Farm-to-Market Construction Program and by reason of the statute, if so much thereof shall accrue to Hampton County. The State Highway Department shall not be obligated to the repayment to Hampton County for any installment due under its Reimbursement Agreement unless sufficient amounts for such installment shall accrue to Hampton County under the State Farm-to-Market Construction Program. The State Highway Department shall not be required to pay any interest to Hampton County for funds turned over to the department pursuant to the provisions of this act. If, during any year hereafter, the apportionment to which Hampton County is entitled exceeds the sum required to meet the annual installment of principal or interest of the bonds in that year, then such excess shall be applied by the State Highway Department as if no reimbursement agreement had been entered into.

SECTION 15. Powers additional.—The powers and authorizations conferred upon the Board and the State Highway Department shall be in addition to all other powers and authorizations previously vested in them.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of May, 1964.

(R1077, H2594)

No. 1264

An Act To Authorize The Town Council Of Surfside Beach In Horry County To Levy A Tax Of Forty Mills For The Calendar Year 1964.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Surfside Beach may levy tax.—The Town Council of Surfside Beach in Horry County is authorized to levy a tax of forty mills on all taxable property in the town for the calendar year 1964.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1188, H2688)

No. 1265

An Act To Authorize The Horry County Board Of Commissioners To Issue Not Exceeding Two Hundred Fifty Thousand Dollars Of General Obligation Bonds Or Notes Of Horry County, To Provide Funds For The Construction Of A Technical Education Center; To Prescribe The Terms And Conditions Under Which The Bonds May Be Issued, To Make Provisions For The Payment Thereof, And To Repeal Act 566 Of 1963, Relating To The Issue Of General Obligation Bonds Of Horry County For Construction Of A Technical Education Center.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that by *pari materia* it is creating the Horry Technical Education Commission, and that the cost for a technical education center to be constructed pursuant to the act creating the commission will cost approximately two hundred fifty thousand dollars. In the act creating the commission, the General Assembly found that it was prudent for Horry County to bear the cost of the construction and maintenance of the technical education center. It has, therefore, determined to authorize the County Board of Commissioners of Horry County to raise such sum through the sale of general obligation bonds or notes of the county.

SECTION 1A. Bond issue authorized.—In order to provide funds to the extent of two hundred fifty thousand dollars, which shall be expended for the construction of a technical education center to be located in Horry County, the Board of Commissioners of Horry County is hereby authorized to issue not exceeding two hundred fifty thousand dollars of general obligation bonds or notes of the county.

SECTION 2. Number of issues.—Obligations authorized by this act may be issued as a single issue, or from time to time as several separate issues.

SECTION 3. Maturity.—Such obligations shall be in such denominations and shall mature in such annual series or installments as the board shall provide for, except that the last maturing obligations thereof shall mature not later than twenty years from the date as of which the obligations shall be issued.

SECTION 4. Redemption.—Obligations issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond or note shall be redeemable before maturity unless it contains a statement to that effect. If bonds or notes are made subject to redemption, provision shall be made in the proceedings authorizing the issuance thereof, specifying the manner of call and the notice thereof that must be given.

SECTION 5. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Horry County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The obligations issued pursuant to this act shall be made payable at such place or places, within or without the State, as the board shall provide.

SECTION 7. Interest.—Obligations issued pursuant to this act shall bear interest at rates determined by the board.

SECTION 8. Execution.—The bonds or notes, and the coupons to be thereunto attached, if any, shall be executed in such manner as the board shall by resolution provide.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids. *Provided*, that if notes are issued no public advertisement shall be required.

SECTION 10. Payment.—For the payment of the principal and interest of all obligations issued pursuant to this act, as they respectively mature, and for the creation of such sinking funds as may be necessary therefor, the full faith, credit and taxing power of Horry County shall be irrevocably pledged, and there shall be levied annually by the county auditor and collected by the county treasurer, in the same manner as other county taxes are levied and collected, a tax without limit on all taxable property in the county sufficient to pay the principal and interest of such obligations as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of any bonds or notes issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 12. Proceeds.—The proceeds derived from the sale of any obligations issued pursuant to this act shall be paid to the county treasurer and shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due thereon.

(b) The premium, if any, shall be applied to the payment of the first installment of principal.

(c) The balance remaining shall be expended, on the warrant of the board, for all costs and expenses incurred in connection with the issuance and sale of such obligations.

SECTION 13. Repeal.—Act 566 of 1963 is repealed.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1261, S852)

No. 1266**An Act To Authorize The Town Of Ocean Drive Beach In Horry County To Close A Portion Of A Street.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Ocean Drive Beach may close portion of certain street.—The Town Council of the Town of Ocean Drive Beach in Horry County is authorized to close and release any such right of way the town has to all that portion of Park Avenue West, lying between the western edge of Highland Avenue and the eastern boundary of a tract of land owned by Isaac E. Case and bound on the north by lot 12, block 9, and on the south by lot 1, block 10, as shown on a map of the Ocean Drive Estates, Section 2, by Myers and Lomas, Engineers.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R769, H2140)

No. 1267**An Act To Authorize The Treasurer Of Jasper County To Transfer Thirty Thousand Dollars From The Sinking Fund To The General Fund For General County Purposes.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jasper County may transfer funds.—The Treasurer of Jasper County is authorized to transfer thirty thousand dollars from the Sinking Fund to the General Fund, to be used for general county purposes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R777, H2141)

No. 1268

An Act To Authorize The County Board Of Commissioners Of Jasper County To Borrow Ten Thousand Dollars From The Division Of Sinking Funds And Property To Pay For Road Machinery And To Provide A Tax Levy For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jasper County may borrow money.—The County Board of Commissioners and the Treasurer of Jasper County are authorized to borrow from the Division of Sinking Funds and Property ten thousand dollars for the purpose of paying for road machinery. The amount borrowed shall be evidenced by a note to be executed by the chairman and treasurer. The note shall bear interest at four per cent per annum from the date thereof and shall be payable in not more than five successive equal annual installments. The first installment shall be paid twelve months from the date of the note. *Provided*, the borrowers reserve the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note, the auditor shall levy and the treasurer shall collect an annual tax of two mills on all the taxable property of the county, which shall be applied to the payment of the note inclusive of interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R987, H2412)

No. 1269**An Act To Validate A Certain Obligation Of Jasper County In The Amount Of Fifteen Thousand Dollars And To Provide For The Payment Of Such Obligation.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Obligation of Jasper County validated.—The General Assembly finds that prior to this enactment the Treasurer and governing body of Jasper County borrowed fifteen thousand dollars from the Division of Sinking Funds and Property, evidenced by a note dated September 25, 1963, payable in five, equal, successive, annual installments, with interest thereon at the rate of four per cent per annum. The General Assembly ratifies, approves and confirms the above obligation incurred on behalf of the Jasper County Aeronautics Commission and declares the obligation to be legal, valid and binding upon Jasper County; *provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note, the Auditor of Jasper County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R989, H2448)

No. 1270

An Act To Authorize The State Highway Department And The South Carolina Wildlife Resources Department To Enter Into An Agreement For The Construction Of Roads And Recreation Facilities In Jasper County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Highway Department and Wildlife Resources Department may make agreement to construct roads and recreation facilities in Jasper County.—The State Highway Department and the South Carolina Wildlife Resources Department are authorized to enter into a cooperative agreement for the construction of access roads and recreation facilities in Jasper County.

The agreement may provide for the State Highway Department to prepare the necessary plans; provide construction engineering and inspection; and award the necessary construction contracts, subject to the written approval of the South Carolina Wildlife Resources Department. All such contracts shall provide for payments for work performed to be made by the South Carolina Wildlife Resources Department from its funds. Upon completion of the construction work, the State Highway Department shall reimburse the South Carolina Wildlife Resources Department out of Farm-to-Market Construction Funds apportioned to Jasper County not exceeding the actual cost of constructing any such secondary roads or one-half the total cost of the roads and recreation facilities included in the cooperative agreement; whichever is the lesser. The State Highway Department shall pay from its Farm-to-Market Construction Funds apportioned to Jasper County the cost of engineering and inspection. The roads shall become a part of the State Highway Secondary System upon their completion.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R1020, H2516)

No. 1271

An Act Authorizing The State Budget And Control Board To Extend Certain Phosphate Leases In Jasper County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Phosphate leases in Jasper County may be extended.—The State Budget and Control Board is hereby authorized to extend leases heretofore entered into between the State and certain parties relating to phosphate in Jasper County for such period as the board may deem proper and advisable and upon such terms and conditions as the lessor and lessee may mutually agree.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1221, H2703)

No. 1272

An Act To Authorize Jasper County To Acquire Land For Additional Recreational Facilities.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Jasper County may acquire land.—Jasper County is hereby authorized to acquire land by condemnation or otherwise for recreational purposes in Jasper County.

SECTION 2. Condemnation procedure.—The condemnation procedure provided for in this act shall be the same as provided for in Sections 25-101 through 25-150 of the 1962 Code, being the Public Works Eminent Domain Law of South Carolina. The powers conferred herein shall be in addition and supplemental to and not in substitution for the powers conferred by any other statute.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R1353, S884)

No. 1273

An Act To Amend Act No. 570 Of The Acts Of 1963, Relating To The Issuance Of General Obligation Bonds Of Jasper County

For School Purposes, So As To Increase The Amount Which May Be Issued.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that approximately six hundred fifty thousand dollars is needed for school purposes in Jasper County and has determined to authorize the issuance of this amount.

SECTION 2. Section 2 of Act 570 of 1963 amended—bond issue authorized.—Section 2 of Act No. 570 of the Acts of 1963 is amended by striking “five hundred” and inserting in lieu thereof “six hundred fifty”, so that when amended the section shall read as follows :

“Section 2. In order to raise moneys to construct, equip and repair public school facilities for the public school system of the School District of Jasper County (the school district), the county board is hereby authorized and empowered to issue and sell, either as a single issue, or from time to time, as several separate issues, general obligation bonds of Jasper County in an amount not exceeding six hundred fifty thousand dollars, and to turn over the principal proceeds thereof to the county board of education, to be expended by that agency for such school facilities.”

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R1360, H2588)

No. 1274

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Jasper County For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965; To Provide For The Expenditure Thereof; And To Authorize The Borrowing Of A Sufficient Sum To Meet The Appropriations Made For The Year Beginning July 1, 1963.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied upon all the taxable property of Jasper County a sufficient number of mills by the auditor from

assessment of the property therein which, together with fines, forfeitures and taxes collected by various officers and all income of the county, shall raise the amount herein appropriated and for the purposes herein stated.

Item 1. Roads and Bridges\$ 24,000.00

Provided, that the maintenance and operation of the supervisor's vehicles will be paid from this account upon the approval of the county board of commissioners.

Total\$ 24,000.00

Item 2. Clerk of Court:

Salary, Clerk of Court\$ 5,170.00

Salary, Deputy Clerk 2,155.00

Total\$ 7,325.00

Item 3. Sheriff's Office:

Salary, Sheriff\$ 5,170.00

Two Deputy Sheriffs @ \$4,200.00 each 8,400.00

Salary, Clerk 2,155.00

Uniforms for Sheriff and two Deputies 450.00

Uniform for Jailor 25.00

Provided, Jailor may wear uniform only during sessions of county court and on out-of-county trips on official business of the Sheriff's office.

Provided, county cars shall be for the official use only of the Supervisor, Sheriff and two Deputy Sheriffs, and shall be clearly marked.

Vehicle maintenance, operation and insurance .. 2,000.00

Total\$ 18,200.00

Item 4. Treasurer's Office:

Treasurer's salary—an amount sufficient to supplement the amount provided by the State, so as

to make his total salary \$5,170.00\$ 1,130.00

Salary for clerk for Auditor and Treasurer 2,695.00

Total\$ 3,825.00

Item 5. Auditor's Office:

Auditor's salary—an amount sufficient to supplement the amount provided by the State, so as to make her total salary \$5,170.00\$ 1,130.00

Total\$ 1,130.00

Item 6. Board of Education:

Salary, Superintendent of Education, an amount sufficient to supplement the amount provided by the State, so as to make his total salary \$5,170.00\$ 200.00

Salary, Clerk 2,400.00

Members of Board of Education, eight @ \$400.00 each 3,200.00

Travel, Superintendent of Education 900.00

Total\$ 6,700.00

Item 7. Judge of Probate's Office:

Salary, Judge of Probate\$ 5,170.00

Salary, Clerk 1,080.00

Total\$ 6,250.00

Item 8. Coroner's Office:

Salary, Coroner\$ 600.00

Total\$ 600.00

Item 9. County Board of Commissioners:

Salary, Supervisor of Roads\$ 5,170.00

Salary, four Commissioners @ \$900.00 3,600.00

Salary, Clerk 1,080.00

Provided, the county board of commissioners shall assume the responsibility of county roads and bridges in their respective townships and shall program all construction and maintenance.

Provided, further, that Gillisonville Square Courthouse grounds shall be maintained and kept up by the Supervisor.

Total\$ 9,850.00

Item 10. Magistrates and Constables:

Magistrate at Ridgeland	\$ 3,070.00
Constable at Ridgeland	1,430.00
Magistrate at Hardeeville	2,570.00
Constable at Hardeeville	1,000.00
Magistrate at Grays	1,050.00
Constable at Grays	1,000.00
Magistrate at Tillman	1,050.00
Constable at Tillman	1,000.00
Constables' travel	1,200.00

Provided, that the Constables at Ridgeland and Hardeeville shall receive thirty dollars per month as travel supplement; *provided*, further, that the Constables at Grays and Tillman shall receive twenty dollars per month travel supplement.

Total\$ 13,370.00

Item 11. County Jail:

Salary, Jailor	\$ 2,425.00
<i>Provided</i> , Sheriff may use Jailor as Deputy when deemed advisable.	
Dieting of prisoners (\$1.50 per day)	2,400.00
<i>Provided</i> , that twenty-four hours shall constitute one day.	
Jail Expense	600.00

Total\$ 5,425.00

Item 12. Court Expense:

Court Expenses	\$ 2,000.00
<i>Provided</i> , that bailiff and jurors shall be paid seven dollars per day.	

Total\$ 2,000.00

Item 13. Health Work:

Health Unit, plus balance from previous year ..	\$ 4,594.00
Total	\$ 4,594.00

Item 14. Public Buildings\$ 14,000.00

Provided, that no private telephones in private residences will be paid from this account. Any official serving Jasper County whose duties may require long distance calls after office hours will be provided with a credit card issued by the county board of commissioners.

Total\$ 14,000.00

Item 15. Farm and Home Demonstration Work:

Expense, Home Demonstration Agent\$ 500.00

Expense, County Agent 500.00

Stenographer for County Home Demonstration and County Agents 615.00

Boys' 4-H Club Work 125.00

Girls' 4-H Club Work and Farm Women's Work 275.00

Demonstration Supplies for Home Demonstration Agent 50.00

Stamps, incidentals and office supplies for County and Home Demonstration Agents 100.00

Corn Contest 100.00

Total\$ 2,265.00

Item 16. Rent:

Forestry Office\$ 96.00

Farm Security Administration Office 420.00

Total\$ 516.00

Item 17. County's portion of support to public schools ..\$265,000.00

Provided, that all school budgets will be submitted to the county board of education prior to February first of each year. *Provided*, further, that the county board of education shall advise the delegation of the school needs for each fiscal year prior to March first of each year. *Provided*, further, that \$15,000.00 be transferred from the General Fund, if that amount be needed. *Provided*, further, that \$3,000.00 of this amount may

be used for salaries in the office of Curriculum Supervisor.

Total	\$265,000.00
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Item 18. Miscellaneous :

County Attorney	\$ 835.00
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Provided, he shall handle all small county cases and advise all county officials, except the Sheriff, on criminal matters.

County Service Officer, supplement to salary ...	257.00
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Janitor, Courthouse and Grounds	2,000.00
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Janitor, Agricultural Building, Welfare Office and Health Center	780.00
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Provided, that this shall be taken care of by the supervisor.

Three Forestry Wardens @ \$450.00	1,350.00
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Provided, that all wardens receiving this travel must be under the supervision of the Jasper County Forestry Board.

Travel outside county	300.00
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The following county officials, when traveling outside of Jasper County on official business, shall be paid seven cents per mile and expenses: Senator, Representative, Sheriff, Deputy Sheriffs, Supervisor, Superintendent of Education, Judge of Probate, Auditor, Treasurer, Clerk of Court, County Attorney and Service Officer. Also, these officials may draw seven dollars per day for expenses when they are out of the county on official business overnight. *Provided*, that all claims are approved by the County Commissioners. *Provided*, further, that prior approval of the Supervisor shall be obtained for the purpose of making trips outside of the county except for law enforcement officers.

Board of Assessors and Equalization	2,500.00
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Secretary, Board of Registration	604.00
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Public Welfare Fund:

Supplement to salaries	2,455.00
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Emergency Welfare Fund	1,000.00
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Provided, these funds shall be payable on the order of the County Board of Public Welfare, and no payment shall exceed the sum of \$25.00 to any one family or person.

Attendance Teacher Charity Fund	200.00
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Post Mortems, Inquests and Lunacies	700.00
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Provided, that the Sheriff shall serve civil and criminal papers pertaining thereto. In the event that the Coroner of Jasper County is sick or otherwise disqualified, the Magistrate of Ridgeland shall hold post mortems and inquests without compensation; *provided*, further, that the examining physician shall be paid \$7.00 per examination.

Provided, Coroner's Magistrates' jurors shall be paid two dollars per day.

Vital Statistics	400.00
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There is hereby appropriated the necessary fund to supplement the cost of operation of the Ridgeland Hospital; *provided*, that the books and records of the hospital be audited along with the county books

12,000.00

Physician	300.00
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Printing, postage, stationery and advertising ..	4,000.00
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State Retirement System	3,800.00
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Social Security	3,500.00
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Library Fund	3,292.00
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National Guard Fund and Janitorial Service ..	2,000.00
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Provided, such fund shall be used for the payment of fuel, lights and telephone.

Jasper County Farm Bureau Marketing Commission	200.00
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Jasper County Development Board	7,000.00
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Bond premiums	800.00
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Burial expense, paupers	200.00
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Provided, that this expense be approved by the Public Welfare Board.

Forestry Ranger	321.00
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Fire Tower Wardens	770.00
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School Lunch Program	2,000.00
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Provided, this shall be paid only upon vouchers approved by the school lunch supervisor.

Miscellaneous Contingent Fund 10,000.00

Provided, that this fund shall be used upon written approval of the legislative delegation as it deems necessary to supplement any account except salaries.

Audit of County Books 2,000.00

Miscellaneous County Fund 1.00

Total \$ 65,565.00

Item 19. Civil Defense \$ 5,000.00

Total \$ 5,000.00

Item 20. Registration Board, three members @ \$252.00
each \$ 756.00

Total \$ 756.00

Item 21. Interest, etc.:
Interest on county indebtedness \$ 1.00

Total \$ 1.00

Item 22. Refund for overpayment of taxes to Holiday
Wear, Inc., and Jasper Realty Management
Co. \$ 911.55

Total \$ 911.55

GRAND TOTAL \$457,283.55

Less Estimated Revenues other than Taxes:

Fines and Licenses \$ 53,000.00

Income Tax 19,000.00

Beer and Wine Tax 2,500.00

Liquor Tax 8,500.00

Gas Tax (1 cent) 42,000.00

Miscellaneous 13,000.00

Total \$138,000.00

Amount to be raised by taxation \$319,283.55

SECTION 2. The townships' assessors and members of the county board of equalization shall receive ten dollars per day for the time actually employed and seven cents per mile for necessary travel.

SECTION 3 The supervisor is hereby authorized and required to pay on the first Monday in May to the widows of Confederate Veterans living at that time and residents of Jasper County sixty dollars each.

SECTION 4. The supervisor is hereby prohibited from issuing a check to any magistrate until the magistrate has filed with him a statement of the names of all parties for whom warrants have been issued during the previous month and the disposition of each and a receipt from the treasurer.

SECTION 5. The County Commissioners shall let bids for the auditing of the county books and of Ridgeland Hospital books and shall award the bid to the lowest competent accountant. The treasurer is hereby empowered to pay for same from the county general fund. *Provided*, that a copy of this audit shall be furnished to each member of the legislative delegation immediately upon completion of the report. The county attorney is to approve the legality of the contract.

SECTION 6. It is hereby made unlawful for the supervisor, the county board or any other officer of the county to exceed the appropriation set forth. If any one overspends an appropriation or spends the appropriation for any purpose not specifically provided herein, it shall be deemed an act of official misconduct and the officials so offending shall be forthwith removed from office.

SECTION 7. The clerk of court is hereby authorized and required to pay jurors seven cents' mileage for each day's attendance upon court.

SECTION 8. No claims shall be paid by the supervisor or the county board unless the same are itemized and probated.

SECTION 9. Any county official or employee who falsifies any claim against the county shall be subject to immediate dismissal or removal from office.

SECTION 10. The farm demonstration agent and the home demonstration agent shall be appointed by proper authorities by and with the consent of Jasper County's Legislative Delegation.

SECTION 11. In order to meet the appropriations provided for in this act, the treasurer, supervisor and the county commissioners of Jasper County are authorized and empowered to borrow, as and when needed, such sums as may be necessary, not exceeding a total of thirty-five thousand dollars, and at a rate of interest not exceeding five per cent per annum, to meet the appropriations and expenditures herein made. The officers shall execute notes for Jasper County as evidence of such indebtedness and may pledge the taxes herein levied.

SECTION 12. The Supervisor of Jasper County, before purchasing or placing an order for equipment, material, supplies, goods, wares or merchandise, or for anything whatsoever needed and used for county purposes in amount in excess of fifty dollars, shall advertise, giving reasonable notice, for bids in some newspapers published in Jasper County asking for bids for such equipment, materials, supplies, goods, wares or merchandise as may be needed, and shall award the contract to the lowest responsible bidder or the supervisor may reject any or all bids.

SECTION 13. The County Treasurer of Jasper County, upon the written direction of a majority of the Jasper County Delegation in the General Assembly, is hereby authorized and empowered to lend from any available funds of Jasper County, to the school district or county board of education from the county general fund, or the county surplus fund, such sum or sums of money as may be directed in writing, to any school district or county board of education in Jasper County in need of funds.

SECTION 14. The county supervisor is hereby authorized to grant up to ten days' annual leave with pay to county employees and up to ten days' annual sick leave with pay, provided the employee is under a doctor's care.

SECTION 15. Any funds accruing to the general fund of the county in excess of the amount appropriated by this act may be transferred to a fund and be utilized for renovation of the jail upon approval of the legislative delegation.

SECTION 16. Should the General Assembly in any subsequent year fail to enact an appropriations act for Jasper County the appropriations and tax levy herein set forth shall be the appropriations act for such subsequent year for Jasper County.

SECTION 17. Should a deficit result from the appropriations made in the 1963-1964 county appropriations act there is hereby appropriated a sufficient amount to cover this deficit.

SECTION 18. The Treasurer of Jasper County is authorized upon the written approval of the legislative delegation to borrow such sums as may be necessary to meet the obligations set forth in the county appropriations act beginning July 1, 1963.

SECTION 19. All work on privately-owned property by the supervisor shall have the approval of the full county board of commissioners thirty days prior to such work.

SECTION 20. The Jasper County Delegation may add items and transfer from contingent funds for the payment thereof to subsection Miscellaneous County Fund in the Miscellaneous Section of this act.

SECTION 21. No future county clerk shall receive an annual salary of more than two thousand dollars per annum during the first fiscal year of their employment.

SECTION 22. All gasoline used by the Sheriff's Department and the County Supervisor will be supplied from a tank at the County Equipment Garage. This tank shall be equipped with individual keys and individual meters so that the Sheriff, two Deputy Sheriffs and the Supervisor will be held responsible for gasoline furnished through their meter. The Supervisor shall present to the County Board of Commissioners a monthly statement of gasoline consumption. In case there should be an emergency on the road, the individuals of these departments are permitted to purchase gasoline and oil and are required to furnish an itemized statement for reimbursement for same.

SECTION 23. Each agency or department of the county receiving appropriated funds under this act shall at the end of this fiscal year file with the Clerk of Court an accounting to the use of such funds. This accounting shall be available for examination or inspection by the citizens of Jasper County.

SECTION 24. Lands owned by the Ridgeland Business Development Corporation and Hardeeville Business Development Corporation in Jasper County shall not be subject to county taxes.

SECTION 25. Prisoners serving time in Jasper County jail may be used by the County Supervisor's office for work on public buildings, grounds and roads upon the approval of the Sheriff.

SECTION 26. The County Board of Commissioners of Jasper County shall determine the cost of license for non-resident fireworks salesmen.

SECTION 27. This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R809, H2218)

No. 1275

An Act Extending The Open Season For The Hunting Of Quail And Rabbit In Kershaw County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Quail and rabbit season for Kershaw County.—Notwithstanding any provision of law to the contrary, the open season for the hunting of quail and rabbit in Kershaw County during the year 1964 is hereby extended to March first.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R813, S629)

No. 1276

An Act To Validate A Certain Obligation Of Kershaw County In The Amount Of Five Hundred Thousand Dollars And To Provide For The Payment Of Such Obligation.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Obligation of Kershaw County validated.—The General Assembly finds that prior to this enactment the Treasurer and governing body of Kershaw County borrowed five hundred thousand dollars from the Division of Sinking Funds and Property evidenced by a note payable in five, equal, successive, annual installments with interest thereon at the rate of four per cent per annum. The General Assembly ratifies, approves and confirms the above obligation incurred on behalf of Kershaw County and de-

clares the obligation to be legal, valid and binding upon Kershaw County. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note, the Auditor of Kershaw County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of Kershaw County are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to such county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R961, S594)

No. 1277

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution Of This State Limiting The Bonded Indebtedness Of Political Subdivisions, So As To Permit The School Authorities In Kershaw County To Incur Bonded Indebtedness For School Purposes In An Amount Not Exceeding Fifteen Per Cent Of The Assessed Value Of All Taxable Property Within The County And To Exclude Such Indebtedness From The Limitation Of Aggregate Indebtedness Upon Any Territory In The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness for Kershaw County

School purposes.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: Add at the end of the section the following proviso: "*Provided*, that the school authorities in Kershaw County may incur bonded indebtedness for school purposes in an amount not exceeding fifteen per cent of the assessed value of all taxable property in the county, and such indebtedness shall not be considered in determining the aggregate debt limitation imposed by this section."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State be amended so as to permit school authorities in Kershaw County to incur bonded indebtedness for school purposes in an amount not exceeding fifteen per cent of the assessed value of all taxable property within the county and to exclude such indebtedness from the limitation of aggregate indebtedness upon any territory in the county?"

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment', and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

Ratified the 24th day of March, 1964.

(R1376, H2231)

No. 1278

An Act To Make Appropriations For The Operating Expenses Of Kershaw County For The Fiscal Year 1964-1965, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax sufficient to meet the appropriations in this act to be raised by a levy upon all the taxable property of Kershaw County is hereby levied on such property for ordinary purposes for the fiscal year beginning July 1, 1964, and ending June 30, 1965,

and shall be expended as herein provided, the amount of such levy to be determined by the auditor and treasurer of the county upon the approval of a majority of the legislative delegation. The funds accruing to the county from the State on account of any other taxes paid over by the State, or any department of the State government for general county purposes, are likewise appropriated along with the funds received from such levy.

SECTION 2. The county auditor and treasurer are also directed to levy a tax sufficient to raise an amount sufficient to retire the principal and interest due on the county hospital bonds, together with an amount not to exceed the proceeds of a six mill levy to be utilized to defray the general operating expenses of the Kershaw County Memorial Hospital, including cost of charity care, such levy to be approved by the delegation.

SECTION 3.

Item 1. Administrative Department:

A. Auditor's Office:

(1) Salary of Auditor (County's portion)	\$ 2,968.23
(2) Deputy Auditor	3,150.00
(3) Board of Assessors	1,500.00

Provided, that each member shall receive fifteen dollars per day while working, plus seven cents per mile travel while engaged in work.

Travel for Auditor, if so much be needed 20.00

Total 7,638.23

B. Treasurer's Office:

(1) Salary of Treasurer (county's portion)	2,968.23
(2) Deputy Treasurer	3,150.00
(3) Travel for Treasurer	50.00

Total 6,168.23

C. Tax Collector's Office:

(1) Salary, Tax Collector	4,242.00
(2) Travel, Tax Collector	1,200.00
(3) Clerk to Tax Collector	2,982.00

Total 8,424.00

Total, Item 1 \$ 22,230.46

Item 2. Judicial Department:

A. Clerk of Court:

- | | |
|--|-------------|
| (1) Salary (Clerk to Circuit Court and Register of Mesne Conveyance) | \$ 6,825.00 |
| (2) Deputy Clerk of Court | 3,150.00 |
| (3) Salary (two additional clerks, \$2,840.00 each) | 5,964.00 |

Total	15,939.00
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B. Master:

- | | |
|--|----------|
| (1) Salary of Master | 2,100.00 |
| Salary of Master as Judge of Juvenile-Domestic Relations and Special Court | 4,725.00 |
| (2) Secretary to Master and Judge, Salary | 3,150.00 |
| (3) Additional Secretarial Assistance for Master .. | 900.00 |
| (4) Office Rent | 600.00 |

Total	11,475.00
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C. Court of General Sessions and Common Pleas:

- | | |
|---|-----------|
| (1) Jurors, witnesses, bailiffs and court crier | 10,000.00 |
| <i>Provided</i> , bailiffs, jurors, clerk for probation officer and court crier shall be paid eight dollars per day for each day actually engaged in their duties. | |
| (2) Supplement to Fifth Circuit Court Reporter .. | 700.00 |
| (3) Kershaw County Probation Officer, Salary Supplement | 300.00 |
| <i>Provided</i> , that the Probation Officer shall be available to assist the Judge of the Juvenile-Domestic Relations and Special Court as may be required by the Judge thereof. | |
| (4) Assistant Solicitor | 1,200.00 |

Total	12,200.00
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D. Probate Judge:

- | | |
|--|----------|
| (1) Salary, Probate Judge | 6,825.00 |
| (2) Salary, Deputy Probate Judge | 3,150.00 |

Total	9,975.00
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E. Magistrates:

(1) Salaries:

Magistrate for DeKalb Townhsip	4,515.00
Magistrate for Town of Kershaw	2,100.00
Magistrate for Flat Rock Township	1,026.00
Magistrate for Buffalo Township	1,596.00
Magistrate for West Wateree Township	2,226.00

Provided, that the Magistrate for DeKalb Township shall keep same office hours as other court-house officials.

Provided, that all Magistrates may draw up to ten dollars a month each for office rent when office is not provided in a county building 480.00

Total 11,943.00

F. County Attorney:

(1) Salary 600.00

Provided, however, the County Attorney's salary shall be in lieu of all fees, except those approved by a majority of the legislative delegation.

Provided, further, the County Attorney shall be elected by a majority of the legislative delegation for a period of one year.

Total 600.00

G. Office of Coroner:

(1) Salary 1,596.00

(2) Inquest stenographer, if so much be needed 100.00

Provided, the stenographer shall be paid at the rate of \$5.00 per inquest.

Total 1,696.00

Total, Item 2 \$ 63,828.00

Item 3: Law Enforcement:

A. Sheriff's Office:

(1) Salary of Sheriff \$ 6,825.00

(2) Salary of Chief Deputy Sheriff 4,746.00

(3) Clothing allowance for Deputy Sheriff	175.00
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Total	11,746.00
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B. Sheriff's Deputies:

(1) Salaries, nine Deputy Sheriffs	34,020.00
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(2) Uniforms, Deputy Sheriffs	1,800.00
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(3) Ammunition and Supplies	100.00
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(4) Deputy Sheriffs' automotive expense, including maintenance, upkeep and purchase of new cars to be reduced by sale of old cars	15,000.00
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(5) Additional expense for Sheriff's Deputies, to be expended upon approval of Sheriff	3,000.00
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(6) Clerical help—DeKalb Magistrate and Sheriff's Office	2,730.00
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Total	56,650.00
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C. Jail Expense:

(1) Operation of Jail, if so much be needed	3,000.00
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(2) Jailor	2,226.00
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Total	5,226.00
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Total, Item 3	\$ 73,622.00
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Provided, that all expenditures authorized herein shall be subject to the approval of the County Board of Directors and shall be in accordance with such accounting systems, procedures, rules and regulations, as they may specify.

Item 4. Public Works:

A. Board of Directors:

(1) Four Directors—salaries and expense	\$ 8,400.00
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(2) Superintendent of Maintenance	5,502.00
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(3) Five Patrol operators	20,475.00
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(4) One Loader operator	4,095.00
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(5) One Bulldozer operator	4,095.00
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Two Guards @ \$4,095.00	8,190.00
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(6) One yard man and clerk	4,095.00
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(7) One yard man	2,835.00
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(8) One Mechanic	4,683.00
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(9) Three truck drivers	7,560.00
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(10)	Salary, Clerk to Board of Directors	6,615.00
	Assistant to Clerk	3,990.00
(11)	One General Clerk, to be used by Auditor, Treasurer and Judge of Probate	2,982.00
	<i>Provided</i> , the balance of the one cent gasoline tax refunded Kershaw County shall be expended upon the approval of the board of directors, if so much be needed, for the operation and main- tenance of the Kershaw County Chain Gang and for supplies and equipment.	
	Total	83,517.00
B. Janitors:		
(1)	Salary of Janitors at Courthouse and Agricul- tural Building	3,654.00
	Total	3,654.00
C. Miscellaneous:		
(1)	Telephone (all offices)	3,000.00
(2)	Printing, postage, stationery and supplies, if so much be needed	7,500.00
(3)	Public Building Maintenance, lights and water	10,000.00
(4)	Equipment Account	2,000.00
	Total	22,500.00
D. Insurance:		
(1)	On prisoners	500.00
(2)	Bond premiums	1,000.00
(3)	Workmen's Compensation premiums	2,000.00
(4)	Insurance, County Motor Vehicles	1,061.00
	<i>Provided</i> , that the above monies shall be spent only on approval of the County Board of Di- rectors.	
(5)	Retirement and Social Security Payments for County employees	22,975.00
	Total	27,536.00
	Total, Item 4	\$137,207.00

- Item 5. Health Department\$ 27,751.00
Provided, the above amount shall be expended in accordance with the budget submitted by the County Health Officer, as approved by the Kershaw County Legislative Delegation. Said sum shall be reduced by the amount paid by the City of Camden for Health Services.
Provided, further, all amounts expended for salaries and actual travel shall be paid by claims approved by the Health Officer.

Total 27,751.00

Total, Item 5\$ 27,751.00

Item 6. Military:

- A. Service Officer (Salary)\$ 4,815.00
(1) Office Rent 420.00
(2) Office Expense, Telephone and out-of-town travel 960.00

Total 6,195.00

- B. Kershaw Guards 700.00

Provided, that the above sum shall be expended for upkeep, maintenance and repair on the Kershaw County Armory; and *provided*, further, that the Armory shall be made available to the Camden Hospital Auxiliary and Junior Welfare League for functions at a rental not to exceed \$25.00 per night.

Total 700.00

Total, Item 6\$ 6,895.00

Item 7. Farm Aid:

- A. Salary Subsistence:
(1) Farm Agent\$ 720.00
(2) Assistant Agent 520.00
(3) Home Agent 720.00
(4) Assistant Home Agent 520.00

(5) Clerk	720.00
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Total	\$ 3,200.00
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B. Assistance for Colored Farmers:

(1) Farm Agent (Salary)	720.00
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(2) Home Agent (Salary)	1,170.00
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(3) Clerk	1,560.00
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(4) Home Agent (Travel)	600.00
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(5) Farm Agent (Rent)	240.00
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Total	\$ 4,290.00
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C. Miscellaneous Farm Aid:

(1) 4-H Club Work (White)	100.00
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(2) 4-H Club Work (Colored)	100.00
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(3) Kershaw County Chapter of Future Home- makers of America	100.00
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(4) Council of Farm Women	250.00
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(5) Demonstration Material for Home Agent (White)	50.00
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Total	\$ 600.00
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D. Supplement to salary of four County Fire
Wardens

2,400.00

Total	\$ 2,400.00
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Total, Item 7	\$ 10,490.00
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Item 8. Welfare:

A. County Welfare Board, to be kept at the rate of
ten dollars per meeting attended

\$ 360.00

Travel for worker	350.00
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Total	\$ 710.00
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B. Camden and Kershaw County Children's Home
Provided, above shall be spent at a rate of \$1.50
per day for child care of indigent children of
Kershaw County, and the above sums shall be
paid semiannually upon certification by the pres-
ident and secretary of the Margaret C. May-
field Home that care and maintenance were ac-

3,000.00

tually rendered for the number of days for which claim is made.

Total	\$ 3,000.00
C. County Poor	4,500.00
<i>Provided</i> , that this amount shall be spent by the Welfare Department, subject to the advice of the County Board of Directors.	

Total	\$ 4,500.00
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Total, Item 8	\$ 8,210.00
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Item 9. Libraries:

A. County Library:

(1) Acting Head Librarian, Salary	\$ 2,940.00
(2) Assistant Librarian, Salary	2,415.00
(3) Clerical Assistant, Salary	2,310.00
(4) Operation of Bookmobile, gas, oil, tires and repairs	350.00
(5) Books and Binding and Mending	2,500.00
(6) Office Supplies	250.00
(7) Insurance	195.00
(8) Travel	50.00

Total	11,010.00
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B. De Kalb Negro Branch:

(1) Salary for Librarian	2,562.00
(2) Books and Supplies	1,500.00

Total	4,062.00
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C. Bethune Library	600.00
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D. Kershaw Memorial Library	300.00
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Total	900.00
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Total, Item 9	\$ 15,972.00
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Item 10. Miscellaneous:

A. Contingent Fund	5,000.00
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To be spent only if approved by a majority of the County Legislative Delegation.

Total	5,000.00
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B. For merit raises to county clerical employees as provided in Section 7, if so much be needed	17,280.00
Total	17,280.00
C. Audit	1,500.00
Total	1,500.00
D. Secretary to Delegation	600.00
Total	600.00
E. Chamber of Commerce	2,000.00
Total	2,000.00
F. County Rescue Squad	500.00
Bethune Rescue Squad	500.00
Total	1,000.00
G. Recreation Commission, City of Camden	4,000.00
Total	4,000.00
Total, Item 10	\$ 31,380.00

Item 11. Park and Recreation Commission:

A. Kershaw County Park (White):	
(1) Life Guards	\$ 952.40
(2) Labor	1,800.00
(3) Materials, Equipment	1,000.00
(4) Gas, Oil, Repairs, Tires	600.00
(5) Lights	280.00
(6) Telephone	230.00
(7) Insurance, Misc.	150.00
(8) Jeep vehicle	800.00
(9) Superintendent Salary	4,800.00
Total	10,612.40
B. Pickett-Thomas Memorial Park (Colored):	
(1) Caretaker Salary	1,460.00
(2) Supervisor and Clerk	350.00
(3) Life Guards	1,680.00
(4) Labor and Grounds	1,200.00

(5) Water and Lights	180.00
(6) Telephone	156.00
(7) Insurance	40.00

Total	5,066.00
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Total, Item 11	\$ 15,678.40
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	\$413,263.86
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Plus unitemized estimated one-cent gasoline tax	46,483.00
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GRAND TOTAL	\$459,746.86
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Estimated Revenues and Available Credits:

Magistrates' Fines	\$ 61,000.00
County Officers' Fees	22,000.00
Beer and Wine Tax	8,000.00
Liquor Tax	31,000.00
Gas Tax	130,000.00
Insurance Fees	20,000.00
Tax Collector	7,500.00
Bank Tax	4,500.00
Income Tax	45,000.00
County Service Officer	4,815.00

Total Estimated Revenues and Available

Credits	\$ 333,815.00
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Total amount to be raised by taxation	\$125,931.86
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SECTION 4. The sheriff and any other police officer shall receive in addition to their regular salaries, actual expenses excluding mileage, when called beyond the limits of the county on official business such as searching for fugitives, conveying prisoners to the State Reformatory, to the State Penitentiary, etc. The sheriff shall also receive fifty cents per meal for dieting each prisoner for each meal consumed while the prisoner is detained in the county jail or otherwise in his custody. *Provided*, however, that the above expenses shall be paid only when a notarized statement is filed with and approved by the County Board of Directors.

SECTION 5. The Magistrates of Kershaw County are hereby required to enter all cases brought before them on their docket and to

show on such dockets what disposition is made of each case, and shall enter on such dockets all costs which may be assessed against the parties of such case, and shall collect the same and shall pay over to the county treasurer monthly all fines and costs in criminal cases which may have been collected by them and shall submit their dockets to the board of county directors monthly for audit. *Provided*, however, that no magistrate in Kershaw County shall be paid his monthly salary until the above section has been complied with on or before the tenth day of each month.

SECTION 6. The appropriations herein made for salaries of the various county officers and other county employees shall be paid to such officers and employees in semimonthly installments upon individual claims to be submitted to the county board of directors. The clerk of such board is hereby authorized to issue checks in payment of all claims for which a specific appropriation is made. *Provided*, however, that all salaries appropriated are in lieu of all fees. *Provided*, further, that all lump sum appropriations shall be payable after December 15, 1964.

SECTION 7. Clerical employees, other than elected officials who have had at least fifteen years or more of satisfactory service in the employ of the county shall receive a supplement of fifty dollars per month. *Provided*, that any such employees with more than ten years of satisfactory service shall receive a supplement of forty dollars per month. *Provided*, further, that any such employees with more than five years of satisfactory service shall receive a supplement of thirty dollars per month. *Provided*, further, that any such employees with more than one year of satisfactory service shall receive a supplement of twenty dollars per month. *Provided*, further, that the director, an employee of the Kershaw County Welfare Department, and Sheriff's Deputies, and Farm and Home Agents and their employees shall be included in this section.

SECTION 8. The County Board of Directors are authorized in their discretion to enter into a contract to provide group life and group medical care insurance for county employees, and their dependents, with any reputable insurance company authorized to do business in South Carolina.

SECTION 9. It shall be unlawful for any county official or employee to use any automobile, truck, tractor, gasoline or oil, or other

property belonging to the county, except for county purposes. The county board of education is hereby authorized and directed to furnish school bus transportation for all activities of the 4-H Boys and Girls, Vocational and Agricultural Boys, Home Economics Girls and Junior Homemakers of America in attending inter and intra county meetings pertaining to their respective endeavors.

SECTION 10. If circumstances arise, which, in the judgment of a majority of the Kershaw County Legislative Delegation, require the expenditure of a greater amount than herein provided for any purposes, or should, in the judgment of a majority of the delegation, the affairs of Kershaw County increase the expenditure of funds for purposes not mentioned in this act and above enumerated, the delegation or a majority thereof shall have and are hereby given the right, by resolution, to increase the amount appropriated in any item and may also appropriate funds for purposes not mentioned or referred to in this act, which resolution or resolutions shall be filed with the Clerk of the County Board of Directors for expending the funds thus appropriated; and the county board of directors may borrow, if necessary, such amounts as may be required to make such increase or additional appropriations and may pledge the full faith and credit of Kershaw County for the payment of the amount so borrowed.

SECTION 11. The general supervision and control of the business and financial affairs of the county shall be vested in a County Board of Directors, consisting of four members, one from each township, the present elected member from each township to constitute the said board. The board shall have all of the functions and shall exercise all of the powers and duties heretofore performed by the County Governing Board and the County Administrator. Effective July 1, 1963, the office of the County Administrator is abolished and all parts of Act No. 364 of the 1963 General Assembly inconsistent herewith are hereby repealed. This section shall be a permanent provision of the statute law of this state.

SECTION 12. All purchases of all county departments shall be made by the County Board of Directors and all expenditures are to be approved by the Board. The Board may require such systems of vouchers and accounting as they may see fit.

SECTION 13. The Kershaw County Board of Education is authorized and directed to prepare a budget for the operation of the Kershaw

County schools for the fiscal year beginning July 1, 1964 and ending June 30, 1965, which budget shall be effective when approved by a majority of the Kershaw County Delegation. The budget may include a supplement to the salary of the superintendent of education provided that his total salary shall not exceed the sum of six thousand eight hundred twenty-five dollars; *provided*, that the budget shall include an incentive pay schedule as recommended by the Kershaw County Education Association and approved by the county board of education and the legislative delegation; and *provided*, further, that the budget shall include a sum to pay expenses and per diem of the Kershaw County Board of Education and a sum to supplement the administrative personnel of the superintendent of education's office including the attendance teacher and the school lunchroom supervisor. *Provided*, further, that the county board of education is hereby authorized and directed on or before the commencement of the 1964-1965 school term to establish by natural boundaries, as nearly as feasible, the school attendance areas of each school of Kershaw County. Each child of the county shall attend the school attendance area in which he or his parent or guardian resides, except by the permission of the trustees of the attendance area in which he resides and the permission of the trustees of the area in which he seeks admission; *provided*, further, that any child which attended a school in a school attendance area other than that in which he resided during the school years 1962-1963 and 1963-1964 may continue to attend such school if he or his parent or guardian so desires. *Provided*, that the County Board of Education may in its discretion approve a plan or plans whereby teachers may on a voluntary basis have a portion of their salaries withheld for the purpose of paying the premium on an annuity contract or contracts.

SECTION 14. All materials, supplies or equipment shall be purchased for all departments of the county by the county board of directors after having advertised for and received bids for the same. Such materials, supplies and equipment shall be requisitioned by each department in writing at least thirty days in advance of their requirements. No voucher for the payment of any purchase in excess of five hundred dollars shall be honored by the county treasurer unless the clerk of the board of directors shall certify in writing that the purchase was made after having received public bids for such commodity unless the transaction is approved by the unanimous vote of the Kershaw County Board of Directors. *Provided*, that the county

board may authorize the clerk to prepare and sign vouchers for any appropriations made hereunder, which vouchers shall be honored by the treasurer.

SECTION 15. The Board of Trustees of the Kershaw County Memorial Hospital shall have the right to formulate a retirement plan for employees of the Kershaw County Memorial Hospital and to withhold on a voluntary basis a portion of the salaries of hospital employees for the purpose of participation in the retirement plan or for the payment of premiums on an annuity contract for such employees.

SECTION 16. Members of all boards and commissions of Kershaw County shall receive seven cents per mile for travel in attendance of all meetings.

SECTION 17. All prior actions or disbursements taken or made, as a result of any resolution or action by the Legislative Delegation from Kershaw County, are hereby validated, ratified, confirmed and declared to be legal and binding.

SECTION 18. All acts or parts of acts inconsistent herewith are repealed.

SECTION 19. This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R982, S712)

No. 1279

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution Of This State, Limiting The Bonded Indebtedness Of Political Subdivisions, To Delete The Provisos Designated As (6), (20) And (46), Relating To Lancaster School District Embracing The Town Of Lancaster, Heath Springs School District No. 38, And School District No. 40 In Kershaw And Lancaster Counties, And To Permit The School District Of Lancaster County To Incur Bonded Indebtedness In An Amount Not Exceeding Fifteen Per Cent Of The Assessed Value Of All Taxable Property Within The District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness for Lancaster County school purposes.—There is proposed that Section 5 of Article X of the Constitution of this State be amended by deleting the provisos designated as (6), (20) and (46), as follows:

“(6) *Provided, further,* That the limitations imposed by this Section shall not apply to Lancaster School District within the County of Lancaster and embracing the Town of Lancaster, such school district being hereby expressly authorized to vote bonds to an amount not exceeding one hundred fifty thousand (\$150,000.00) dollars in excess of the bonds already issued and authorized. The proceeds of such bonds to be applied solely to the purchase of additional real estate for school purposes, the erection, maintenance, improvements and equipment of school buildings in said school district under such restrictions and limitations as the General Assembly may prescribe, and where the question of incurring such indebtedness is submitted to the qualified electors of said school district, as provided in the Constitution upon the question of bonded indebtedness.

“(20) *Provided, further,* That the limitations imposed by this Section shall not apply to Heath Springs School District No. 38 of Lancaster County, said school district being hereby authorized to issue additional bond in an amount not exceeding thirty thousand (\$30,000.00) dollars, and that the question of incurring such indebtedness be submitted to the qualified electors of said school district as provided in the Constitution upon the question of bonded indebtedness.

“(46) *Provided, further,* That the limitation imposed by this Section shall not apply to School District No. 40, within the Counties of Kershaw and Lancaster, such School District being hereby expressly authorized to vote bonds to an amount not exceeding Forty Thousand (\$40,000.00) Dollars, in excess of the bonds already issued and authorized, the proceeds of such bonds to be applied solely to the erection of a school building in said School District, and for the purchase of equipment for said building, under such restrictions and limitations as the General Assembly may prescribe, and where the question of incurring such indebtedness is submitted to the qualified electors of said School District, as provided in the Constitution upon the question of bonded indebtedness.”

There is also proposed that Section 5 of Article X be further amended by adding at the end of the section the following:

“() *Provided, further,* that the limitations as to bonded indebtedness imposed by this section shall not apply to the School District of Lancaster County, and that the school district may incur bonded indebtedness for school purposes to an amount not exceeding fifteen per cent of the assessed value of all taxable property therein.”

SECTION 2. Submission to electors.—The proposed amendments shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed thereon: “Shall Section 5 of Article X of the Constitution of this State be amended so as to delete the provisions relating to the bonded indebtedness of the former Lancaster School District embracing the Town of Lancaster, Heath Springs School District No. 38 and School District No. 40 in Kershaw and Lancaster Counties?”

In favor of the amendment ☐

Opposed to the amendment ☐

“Shall Section 5 of Article X of the Constitution of this State be amended so as to permit the School District of Lancaster County to incur bonded indebtedness for school purposes in an amount not exceeding fifteen per cent of the assessed value of all taxable property within the district?”

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendments shall deposit a ballot with a check or cross mark in the squares after the words ‘In favor of the amendment.’ and those voting against the amendments shall deposit a ballot with a check or cross mark in the squares after the words ‘Opposed to the amendment.’”

Ratified the 26th day of March, 1964.

An Act To Empower The Lancaster County Natural Gas Authority To Refund Its Outstanding Bonds, To Fund Its Other Indebtedness, To Raise Other Monies Required For Improvements To Its Natural Gas System, To Prescribe The Terms And Conditions Under Which Such Obligations Of The Authority May Be Issued, And To Make Provision For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that:

(1) It did, by Act No. 879 of 1954, as afterwards amended by Acts Nos. 602 and 606 of 1957, by Act No. 1127 of 1958 and by Act No. 579 of 1963, create the Lancaster County Natural Gas Authority (hereinafter referred to as the Authority) and did empower it to construct and operate natural gas distribution systems within the service area therein prescribed for it, together with such transmission lines as might prove necessary therefor, and in order to provide a means with which it might obtain funds for the construction, maintenance and improvement of its system, did empower it to issue bonds payable from the revenues of its system to such extent as might prove necessary.

(2) In order that a convenient procedure for borrowing money might exist, there was vested in the Authority all of the powers set forth in the statute now codified as Sections 59-361 to 59-415, inclusive, and Sections 59-651 to 59-682, inclusive, of the 1962 Code.

(3) Afterwards, the Authority, exercising powers made available to it, issued three issues of bonds, all of which are now in default. The Authority has been diligently seeking to remedy the default and its affairs have improved to the point where it feels that it is feasible to effect a refunding of its outstanding bonds under a plan which will provide for the issuance of additional bonds to pay for improvements and extensions to its system now believed necessary.

(4) On the basis of present studies it appears that the most economical method of raising additional monies will be through the issuance of additional bonds at a small discount. In addition, it may prove necessary that the Authority employ investment bankers to arrange exchanges of the Authority's outstanding bonds for its proposed refunding bonds.

(5) In order to effect the plan the Authority must use as the statutory vehicle Sections 59-651 to 59-682, inclusive, of the 1962 Code. Questions have arisen as to whether the provision of Section 59-667 which requires that bonds issued pursuant to the statute be sold at not less than par would prevent the consummation of the Authority's plan. Questions may also arise as to whether the proceeds of refunding bonds, which shall be sold to raise monies for improvements, may be used to pay costs incurred in effecting exchanges

and whether other bonds or certificates of indebtedness may be issued, junior in lien, to fund past due interest.

(6) It has decided to empower the Authority to take such steps as may be necessary to consummate the issuance of the proposed refunding and improvement bonds of the Authority, and to that end has determined to authorize any plan by which the Authority will issue refunding and improvement bonds to such extent as shall be necessary to provide bonds to be exchanged for its now outstanding bonds, and to provide for a sale of a portion of such bonds to meet the cost of improvements and extensions to the system, and the cost of implementing the plan of exchange, and that such plan may be effected notwithstanding it requires the employment of investment bankers, or other individuals, to assist the Authority in securing the exchange and that it may involve the sale of the bonds, issued pursuant to the aforesaid statute, at a price of less than par, and that a portion of the proceeds from the sale of bonds may be used for expenses incidental to the plan.

SECTION 2. Authority may issue and exchange bonds.—The Authority is hereby authorized to issue, pursuant to Sections 59-651 to 59-682, inclusive, of the 1962 Code, such amount of bonds as it may from time to time hereafter deem necessary in order to exchange such bonds for those of the Authority now outstanding, and in order to provide funds for improvements and extensions to the system of the Authority. The bonds may be disposed of by the Authority on such terms as the Authority shall approve and at a discount, if the Authority shall find such a method to be to its advantage. The Authority is expressly empowered to employ such persons or firms of investment bankers as it may deem desirable in effecting the exchange of its outstanding bonds, and to use the proceeds of any bonds that might be sold to pay for the services of such individuals or investment bankers. The Authority is further authorized to issue funding bonds or certificates of indebtedness to such extent as it may deem necessary to fund all arrears of interest. Such funding bonds or certificates of indebtedness shall have such claim to the revenue of the system as the Authority shall provide.

SECTION 3. Payment.—All bonds of the Authority now outstanding and the bonds and certificates of indebtedness of the Authority to be hereafter issued pursuant to the authorization of this and other acts relating to the Authority are hereby declared to be valid and binding

obligations of the Authority according to their respective tenor and effect. Such bonds and certificates of indebtedness shall be payable solely from the revenues derived from the system of the Authority and shall have such claim thereto as shall be prescribed in the proceedings of the Authority providing for their issuance.

SECTION 4. Powers of authority.—This act shall be deemed to amend and enlarge the powers of the Authority as herein provided.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1964.

(R1246, S711)

No. 1281

An Act To Amend Act No. 855 Of The Acts Of 1959, As Amended, Relating To The Lancaster Water And Sewer District, So As To Prohibit The Employment Of A Commissioner By The Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 855 of 1959 amended—Section 2-A added—employment of commissioners prohibited.—Act No. 855 of the Acts of 1959, as amended, is further amended by adding a new section, as follows:

“Section 2-A. No commissioner shall serve in any other capacity under the jurisdiction of the commission.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1253, S867)

No. 1282

An Act To Authorize And Direct The County Board Of Commissioners Of Lancaster County To Lend To The City Of Lancaster A Sum Of Money For The Construction Of A Sewer Line.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lancaster County to make loan to City of Lancaster.—The County Board of Commissioners of Lancaster County is directed to lend to the City of Lancaster a sufficient amount of money for the purpose of constructing a sewer line from an industrial site to the city's disposal plant. The money so loaned shall be without interest. All revenue derived from fees charged for the new sewer line shall be collected by the city, kept in a separate account and transmitted quarterly to the treasurer and credited to the general fund of Lancaster County for a period of ten years, at which time no further payment shall be made.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1363, H2747)

No. 1283

An Act Directing The Treasurer Of Lancaster County To Transfer A Sum Of Money From Any Sinking Fund To The General Fund Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lancaster County to transfer funds.—The Treasurer of Lancaster County is directed to transfer from any sinking fund to the General Fund of the county a sum of money sufficient to meet the obligation of the county to the City of Lancaster for the construction of a sewer line from an industrial plant site to the disposal plant.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R1383, H2722)

No. 1284

An Act To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For The Fiscal Year July 1, 1964, to July 1, 1965, And To Provide For The Expenditure Thereof In The

County Of Lancaster; And To Provide Further For The Fiscal Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A sufficient tax, not to exceed seventy mills, less the estimated revenue to be received by Lancaster County, in 1964, to pay the appropriations hereafter made, the amount of such millage to be determined by the county auditor, after consulting with the members of the Lancaster County Legislative Delegation, is hereby levied upon all the taxable property of Lancaster County for county purposes for the fiscal year beginning July 1, 1964, and ending June 30, 1965, for the amounts and purposes hereinafter stated, as follows: to wit:

SECTION 2. The fee for witnesses in the Court of General Sessions shall be three dollars per day and mileage, as now provided by law.

SECTION 3. The fee for bailiffs, grand and petit jurors and court criers in the Court of General Sessions and Court of Common Pleas shall be eight dollars per day and mileage, as now provided by law.

SECTION 4. Public Works	\$145,000.00
	<hr/>
	\$145,000.00

The Board of Directors is hereby authorized to increase all hired labor 5% above the present salaries paid.

The Board is hereby authorized and directed to pay the Supervisor an annual salary of \$6,000.00 per year.

The above appropriation shall be expended for the maintenance of county chain gang, road construction, road maintenance, road equipment, repairs to equipment, materials and supplies for road construction and maintenance, chain gang supplies, and salaries of all personnel employed by the Board of Directors or the Road Supervisor, including the salary of the Road Supervisor. The board shall also employ a janitor for the county courthouse and office building at such salary as the board may direct, same to be paid from the general county fund. The board shall furnish all necessary supplies needed for janitorial service. The appropriation in this section shall be expended upon warrants approved by the county board of directors. All personnel employed for road construction, road mainte-

nance and chain gang employees shall be employed by the County Road Supervisor and shall receive such salaries as the board of directors shall provide. The above sum in Section 4 of this act for salaries and road maintenance includes the amount to be received from the one cent gasoline tax. The County Board of Directors of Lancaster County is not forbidden to expend in any one quarter of the year for road and bridge purposes a sum in excess of one-fourth of the total amount appropriated in this appropriations act, as prohibited in Section 33-1761, Code of Laws of South Carolina, 1962. The county board of directors is hereby authorized and directed to use whatever money it may receive by reason of the rental or sale of any equipment or commodities produced by it for county or ordinary purposes, as now provided by law; *provided*, however, that such sum shall not be deducted from the appropriations made in this appropriations act. In addition to the appropriation provided in this section, any and all monies received by the county board of directors from the South Carolina State Highway Department by reason of construction contracts entered into between Lancaster County and the State Highway Department shall be expended by the board of directors for any of the purposes set out above. Of the amount appropriated, \$2,800.00 shall be used for Christmas Bonuses.

Law Enforcement

Salaries:

Sheriff	\$ 5,040.00
Expenses of Sheriff	1,800.00
4 Deputy Sheriffs @ \$310.00 per month	14,880.00
Expenses, 4 Deputy Sheriffs, \$900.00 each	3,600.00
2 Lieutenants @ \$325.00 per month	7,800.00
Expenses for 2 Lieutenants @ \$75.00 per month to cover telephone, meals out of town, laundry, etc., in performance of duty	1,800.00
2 Deputy Sheriffs @ \$294.00 per month	7,056.00
Expenses for 2 Deputy Sheriffs @ \$75.00 per month	1,800.00
Radio Operator and part time Deputy	2,898.00
Expenses, Radio Operator and part time Deputy	900.00
Special Deputy Sheriffs	648.00
Special Deputy Sheriffs, extra occasions	200.00
Clerk (1), to be paid directly to the clerk employed	3,150.00

Expenses, Clerk	360.00
Jailor	1,386.00

Total\$ 53,318.00

Expenses:

Operating jail, including per diem for feeding and maintenance, or so much as may be necessary	\$ 9,000.00
Maintenance and new equipment Sheriff's automobiles and radios, or so much as may be necessary	10,000.00
Record books, forms, and postage, or so much as may be necessary	300.00
Uniforms for Sheriff's Officers, if so much be necessary	2,400.00
Supplies and returning of prisoners	500.00
Trading of Automobiles	3,000.00

Total\$ 25,200.00

Magistrates:

Gills Creek Township	\$ 2,200.00
Hire of Clerk	3,000.00
Constable, Gills Creek Township	2,100.00
Kershaw	780.00
Constable, Kershaw	610.00
Buford Township	600.00
Constable, Buford Township	450.00
Cedar Creek Township	600.00
Constable, Cedar Creek Township	450.00
Cane Creek Township	1,000.00
Constable, Cane Creek Township	700.00
Indianland Township	500.00
Constable, Indianland Township	450.00
Pleasant Hill Township	500.00
Constable, Pleasant Hill Township	450.00
Flat Creek Township	500.00
Constable, Flat Creek Township	450.00
Waxhaw Township	500.00
Constable, Waxhaw Township	450.00

Total\$ 16,290.00

County Director's Office

Salaries:

Chairman of Board	\$ 1,200.00
Directors (6) @ \$1,080.00 each	6,480.00
Secretary	4,000.00
Travel expense for 7 directors of the board to be paid to each at the rate of \$150.00 per year ..	1,050.00
Travel expenses for the chairman of the board for a year	600.00
Clerk to Board, to be paid directly to clerk employed	1,080.00
Special Secretary for Tax Collector, Auditor, Treasurer and County Board of Directors	3,000.00

Total\$ 17,410.00

Auditor's Office

Salary in addition to the portion paid by the State under the General Appropriation Act and Expenses for County Auditor	\$ 2,600.00
Travel and Expenses for Auditor	1,800.00
Clerk to County Auditor, to be paid directly to the clerk employed	3,150.00
Equalization Board	1,300.00
Supplies	500.00

Total\$ 9,350.00

County Treasurer's Office

Salary in addition to the amount to be paid by the State under the General Appropriation Act and expenses for County Treasurer	\$ 2,300.00
Clerk to Treasurer, to be paid directly to clerk employed	3,150.00
To compensate for extra work and mailing out tax notices	1,200.00
Supplies	1,250.00

Total\$ 7,900.00

Clerk of Court's Office

Salary	\$ 600.00
Salary to secretary for Clerk of Court	3,150.00

	Postage, record books, office supplies and printing, or so much as be necessary	3,000.00
	Total	\$ 6,750.00
Probate Judge		
	Clerk to Probate Judge, to be paid directly to clerk employed	\$ 3,150.00
	Postage, record books, printing and office supplies, or so much as may be necessary	1,000.00
	For Lunacy Proceedings, if so much be necessary	500.00
	Doctors' Fees for Lunacy Proceedings, if so much be necessary, at \$10.00 per examination ..	500.00
	Total	\$ 5,150.00
County Attorney		
	Salary	\$ 1,320.00
	Total	\$ 1,320.00
County Coroner		
	Salary—Coroner	\$ 1,300.00
	Stenographer, when necessary, not to exceed \$10.00 per inquest	100.00
	Printing and Official Blanks	25.00
	Travel Expense for coroner, not exceed \$400.00	400.00
	Total	\$ 1,825.00
Farm and County Agent's Departments		
	County Agent	\$ 1,200.00
	Assistant County Agent	587.00
	Home Demonstration Agent	650.00
	Negro Agriculture Agent	476.00
	Stenographer, Home Demonstration Agent	1,080.00
	Home Demonstration Supplies	50.00
	Demonstration Supplies, County Agent	50.00
	Stamps and Incidentals, County Agent	50.00
	Stenographer, County Agent	300.00
	Boys' and Girls' Club Work	100.00
	Colored Home Demonstration Agent, Supplies	50.00
	Colored Agriculture Agent, Demonstration Supplies	50.00

Salary, Colored Home Demonstration Agent . . .	797.00
Clerical Help, Negro Home and Agriculture Agents	1,800.00
Colored 4-H Club Work, Boys and Girls	100.00
Office Rent	240.00
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Total	\$ 7,580.00
Quail Project	\$ 660.00
(To be expended upon the approval of the legislative delegation, including the Senator.)	
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Total	\$ 660.00
Forestry Rangers	
Expenses and supplemental salaries	\$ 2,100.00
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Total	\$ 2,100.00
County Nursing Home—support of inmates and medical supplies, hospitalization and miscellaneous expenses (if so much be necessary)	\$ 2,000.00
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Total	\$ 2,000.00
Health Centers	
Part salary for one P. H. Nurse I	\$ 2,845.00
Travel for Sanitarian I @ \$90.00 per month . . .	1,080.00
Travel for four P. H. Nurses I @ \$90.00 per month	4,320.00
Travel for County Health Officer II	820.00
Janitor Service	1,200.00
Drugs and supplies (Lancaster)	795.00
Drugs and supplies (Kershaw)	180.00
Lights, fuel, water, repairs	1,500.00
To Balance Salaries	300.00
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Total	\$ 13,040.00
Vital Statistics and Post Mortems	\$ 300.00
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Total	\$ 300.00

Court Expenses

Jurors, Witnesses, Bailiff	\$ 10,000.00
Stenographer, Parole Office	250.00
Total	\$ 10,250.00

Service Officer

Salary and expenses of Service Officer	\$ 4,337.00
Travel, Service Officer	1,200.00
Salary, Clerk to Service Officer	3,000.00
Total	\$ 8,537.00

Department of Public Welfare

Child Welfare and emergency assistance	\$ 2,000.00
Expenses, 3 clerks @ \$180.00	540.00
Expenses, 5 case workers @ \$30.00 per month ..	1,800.00
Expenses, 1 case-worker (Juvenile Court)	600.00
Expenses, director	600.00
3 Directors @ \$12.50 per month	450.00
Expenses, Janitor	120.00
Total	\$ 6,110.00

Juvenile Court

Judge—Salary	\$ 5,200.00
Secretarial help	3,000.00
Probation Officer	3,000.00
Travel (Probation Officer)	420.00
Rent, Postage and supplies	500.00
Total	\$ 12,120.00

Provided, all fees collected by the juvenile Court shall be submitted to the County Treasurer quarterly.

Miscellaneous

Lancaster County Rescue Squad	\$ 500.00
Rural Fire Fighting Units	13,000.00
Workmen's Compensation, Rural Firemen	1,300.00
Liability Insurance—Sheriff's Cars	1,100.00
Insurance on Public Buildings	2,000.00
Workmen's Compensation Insurance	2,900.00

Premium on Blanket Employees' Bond and Bonds of County Officials	1,000.00
Liability Insurance—County Trucks and Cars	1,800.00
Boiler Insurance Premiums	800.00
Telephone and Service Tolls for County Offices	5,000.00
Lights, water, fuel and maintenance of County Office Building and Courthouse	6,500.00
Water Service, Marion Sims Hospital	1,500.00
Salary, County Minister	1,200.00
Salary, County Physician	2,400.00
County's Contributions—Retirement System	8,875.00
Police Retirement System	6,000.00
Salary for Secretary, County Board of Registration	600.00
Lancaster County's portion for the institution and operation of a Mental Health Clinic to serve the Counties of York, Chester and Lancaster	4,970.43
National Guard Unit at Lancaster	650.00
Tuberculosis for Film	600.00
Kershaw Public Library	1,000.00
Rental—A. S. C.	870.00
Tax Collector	3,600.00
Expenses	300.00
Civilian Defense Program	2,600.00
Salary for Clerk and Bookkeeper at Chain Gang	2,400.00
Expenses	1,200.00
Children's Home (Rent)	1,800.00
Civil Air Patrol (Lancaster)	300.00
Civil Air Patrol (Kershaw)	300.00
Historical Commission and maintenance of historical sites	500.00
Industrial Development Board to be approved by a majority of the Lancaster County Legislative Delegation, including the Senator	1,500.00
Total	\$ 79,065.43
GRAND TOTAL	\$431,275.43

Less Estimated Revenue Other Than Taxes:

Gasoline Tax	\$157,000.00
Insurance Licenses Fees	22,000.00
County Service Officer	5,021.00
Alcoholic Liquors, Beer and Wine Tax and In- come Tax	92,000.00
State Bank Tax	17,000.00
Library Fund	1,500.00
Fines and Forfeitures	70,000.00
Miscellaneous	1,000.00
Rent from Nursing Home	6,000.00
Fees from Juvenile Court	4,000.00
Total	<hr/> \$375,521.00 <hr/>

Amount to be raised by Taxation\$ 55,754.43

Any sums not expended from the appropriations herein set forth, together with any surplus remaining over and above the total appropriations, shall be placed in the General Fund of the county.

SECTION 5. The county board of directors is hereby authorized to set aside out of the road fund such sum of money as, in its judgment, may be required in the interim between the regular monthly meetings for use in meeting weekly payrolls for labor, and to pay for freight, express and repairs for machinery, and the county treasurer is hereby authorized to make disbursements out of such special fund only on itemized claims of the chairman of the county board, which claims shall be regularly filed by the county treasurer with the county board of directors for formal approval by a majority thereof; the approval or disapproval shall be recorded in the minutes of the board. The board is authorized and directed to pay the expenses of the audit authorized by the board for the past fiscal year. All claims must be made out and listed separately.

SECTION 6. The jailor, under supervision of the sheriff, is hereby required to pay all operating expenses of the jail, except that per diem for dieting prisoners, hereinafter provided for, and except water, rents, fuel and electric lights.

The above salary of the sheriff shall be in full for all services rendered the county, including the summoning of juries for the Court of General Sessions and Common Pleas; jailor to receive, in addi-

tion to his salary, fifty cents for each commitment and fifty cents for each discharge.

SECTION 7. The county board of directors is hereby authorized to pay the salaries of the county officers, magistrates and constables monthly; *provided*, the county board of directors shall not in any event appropriate or expend in excess of the amounts herein appropriated; *provided*, further, that the salaries of the clerks employed by the superintendent of education in his office shall be paid out of the county board of education funds.

SECTION 8. It shall be unlawful for any county official or employee to use any automobile, truck, tractor, gasoline or oil, or other property belonging to the county, except for county purposes.

SECTION 9. The board of directors is hereby authorized and directed to maintain telephone service in the following offices: County Director's office, Sheriff's office, Treasurer's office, Auditor's office, Probate Judge's office, Clerk of Court's office, Department of Public Welfare, Magistrate at Gills Creek Township's office, County Health Department office, County Service Officer, Juvenile Court, Tax Collector, Probation Officer, T. B. Association, Red Cross, Home Demonstration Agent, Civil Defense, Colored Agriculture Agent, County Jail and the Armory. *Provided*, that no long distance telephone calls shall be made from any telephone furnished by the county except for official calls made in connection with the particular office. Telephone service for superintendent of education's office is to be paid from funds allotted to schools. Each county official in whose office a telephone is maintained shall certify monthly to the board of directors that all long distance calls made from his office were for official county business. The payment of all long distance calls shall be approved by the county board of directors.

SECTION 10. The county board of directors is hereby empowered and directed, upon the written authority of the Senator and at least one member of the House of Representatives from Lancaster County, to have an audit made of each county office for the fiscal year beginning July 1, 1963. An amount sufficient to defray the cost of such audit is hereby appropriated out of the general funds of Lancaster County. All such audits are to be made by a certified public accountant.

SECTION 11. Each and every magistrate in Lancaster County is hereby required to file with the county board of directors each month a report showing the name of each party for whom a warrant was issued; the amount of fines collected; sentences given; the cases appealed to the Circuit Court and the cases sent up to the Circuit Court. It shall be unlawful for the county board of directors to issue pay warrants to any magistrate until such report is filed.

SECTION 12. The County Board of Directors of Lancaster County is hereby authorized, empowered and directed, with the approval of the Senator and at least one member of the House of Representatives from Lancaster County, to borrow money for such public purposes as may be necessary, and to irrevocably pledge the levies and the faith, credit and taxing power of Lancaster County for the payment of all monies which may be borrowed hereunder.

SECTION 13. Any appropriation, expenditure or money borrowed or other acts made by the county board of directors under the authority of the Lancaster County Appropriations Act authorized by written authority of the Senator and one member of the Lancaster County Legislative Delegation are hereby validated.

SECTION 14. A tax of forty-five mills is hereby levied upon all taxable property in Lancaster County for school purposes. This money shall be used to pay salaries, heat, lights, water and all county-wide expenses. After estimated county-wide expenses are budgeted, the balance of the estimated income from this tax and all other sources shall be distributed as follows: The following schools shall be allotted two thousand dollars each to be used as the area superintendents and local boards see fit: Buford High School, Flat Creek High School, Indianland High School, Heath Springs High School, Hillside High School, Kershaw High School, Lancaster Junior High School, Barr Street High School and Lancaster Senior High School. The remainder of the estimated income shall be allocated to the various school areas on a per pupil basis. Each area shall prepare a breakdown of its budget and present it to the county board of education for approval. *Provided*, that every area superintendent shall keep an itemized record of all receipts and disbursements and shall file the same with the county board of education prior to July 1, 1965. The above records shall be signed by the area superintendent and a majority of the trustees, including the chairman.

SECTION 15. It shall be unlawful for the board of directors or supervisor of roads for Lancaster County to offer for sale or dispose of any property or equipment of any kind having a value of five hundred dollars, or more, without first obtaining the written approval of a majority of the legislative delegation, including the Senator. The supervisor of roads is hereby authorized to purchase any emergency repairs or equipment where the item so purchased does not cost in excess of five hundred dollars. All major items or heavy road-working equipment is to be purchased by majority approval of the board after obtaining written authorization from a majority of the legislative delegation, including the Senator.

SECTION 16. In order for the county to participate in federal funds or other sources of funds for the construction and equipping of a health center or centers, and the right to acquire land for the same, the county board of directors shall provide the necessary legal authority for the board, through its chairman, to apply through the State Board of Health for federal funds to assist in the construction and equipping of such health center or centers, and for the purchase of necessary land or acquire the necessary land by gift, devise or otherwise.

The authority granted shall enable the proper person or persons to legally apply and enter into agreements or contracts for federal or other funds. It is further provided that if any funds are received, they shall be deposited in the county treasury and shall be paid out in accordance with the plans, agreements and contracts authorized to be entered into for such financial assistance as may be available.

All such acts herein authorized shall be in accordance with Public Law 725 of the 79th Congress of the United States entitled "Hospital Survey and Construction Act" and the "State Hospital and Licensing Act" and regulations issued under the authority of the same.

SECTION 17. Any or all funds received by Lancaster County under the provisions of the General Appropriations Act for the State of South Carolina for the fiscal year 1964-1965 for school purposes shall be used to defray costs of the budget for the Lancaster County schools for the year 1964-1965. In preparing the school budget for the school year 1964-1965, the county board of education is hereby authorized and directed to pay to all school teachers in Lancaster County nine hundred twenty-five dollars. *Provided*, that no teacher shall draw for the year 1964-1965 less than one hundred dollars increase over the 1963-1964 county supplement.

SECTION 18. An amount of fifteen thousand dollars—Lancaster, ten thousand; Heath Springs, five hundred; and Kershaw, one thousand five hundred is hereby appropriated for parks and playgrounds; *provided*, that each town, by taxation, matches dollar for dollar the funds appropriated by the county; also any county community project approved by a majority of the delegation, including the Senator.

SECTION 19. Six hundred dollars is hereby appropriated for the Lancaster County Board of Health to be used for the purpose of operating a dog pound in the county.

SECTION 20. If circumstances arise which, in the judgment of the Lancaster County Legislative Delegation, or a majority thereof, including the Senator, require the expenditure of a greater amount than hereinabove provided for any purpose, or should in the judgment of the delegation, or a majority thereof, including the Senator, the interest of Lancaster County require the expenditure of funds for purposes not mentioned in this act and above-enumerated, then the delegation, or a majority thereof, including the Senator, shall have, and is hereby given the right by resolution to increase the amount appropriated for any item, and may also appropriate funds for purposes not mentioned or referred to in this act, which resolution shall be filed with the Board of County Directors for Lancaster County as its authority for expending the funds thus appropriated, and the board of directors may borrow, if necessary, such amounts as may be required to meet such increases or additional appropriations, and may pledge the full faith and credit of Lancaster County for the payment of the amounts so borrowed.

SECTION 21. One-half mill of the board of education's tax levy shall be used for establishing and helping to finance the branch of the Extension Division of the University of South Carolina established in Lancaster County.

SECTION 22. The total amount of taxes levied for the fiscal year 1964-1965 shall not exceed seventy mills as follows: county bonds and notes, eight mills, county ordinary; school bonds and notes, ten mills, schools; parks and playgrounds, one mill, county ordinary; school operation, forty-five mills, schools; higher education commission, one-half mill, schools; library, one and one-half mills, county ordinary; and county ordinary, four mills.

SECTION 23. The clerk and bookkeeper for chain gang and Lancaster County Road Department shall have the following duties: keep records of all vehicle expense, records of all material bought and received, issue materials and parts, keep records of all materials bought in the building and construction of roads and records of all labor used on contract roads. He shall make a monthly report to the county board of directors.

SECTION 24. This act shall take effect upon approval by the Governor.

Approved the 22nd day of May, 1964.

(R699, H1948)

No. 1285

An Act To Authorize The Treasurer Of Laurens County To Transfer One Thousand Dollars From The Unappropriated Surplus Of The County To The Jail Fund.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laurens County may transfer funds.—The Treasurer of Laurens County is authorized to transfer one thousand dollars from the unappropriated surplus of the county to the Jail Fund.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R822, S564)

No. 1286

An Act Directing The Treasurer Of Laurens County To Pay Certain Sums From The Unappropriated Surplus Fund.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Appropriations by Laurens County.—The Treasurer of Laurens County is directed to pay from the unappropriated surplus fund the following :

Laurens County Library	\$ 8,000.00
Laurens County Planning and Development Commission	4,000.00
Sheriff	1,000.00
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Total	\$ 13,000.00

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R888, H2303)

No. 1287

An Act To Amend Act No. 458 Of The Acts Of 1959, As Amended, Relating To Hospital Districts In Laurens County, So As To Further Provide For The Terms Of Members Of The Board Of Trustees Of The Laurens Hospital Districts And To Terminate The Terms Of Present Members Of The Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 458 of 1959 amended—Laurens Hospital District to be operated by board of trustees.—Section 2A. (1) of Act No. 458 of the Acts of 1959 as added by Act No. 594 of the Acts of 1963 is amended by striking on lines 4 and 5 the following: "Their terms shall be for two years and until their successors are elected and qualify." and inserting in lieu thereof the following: "Of those members initially elected, subsequent to the year 1963, one shall serve for a term of one year, two for a term of two years, two for a term of three years, and two for a term of four years. The determination of the length of the term of office of each such member shall be made by lot. All subsequent terms shall be for four years each. Members shall serve until their successors are elected and qualify." When amended Section 2A. (1) shall read as follows:

"Section 2A. (1) The Laurens Hospital District shall be maintained and operated by a board of trustees consisting of seven members who shall be elected by a majority vote of the Laurens County Delegation, including the Senator. Of those members initially elected, subsequent to the year 1963, one shall serve for a term of one year, two for a term of two years, two for a term of three years, and two for a term of four years. The determination

of the length of the term of office of each such member shall be made by lot. All subsequent terms shall be for four years each. Members shall serve until their successors are elected and qualify. The board shall meet quarterly. At the last quarterly meeting of each year a chairman for the next year shall be elected by a majority vote of the members of the board."

SECTION 2. Terms of present members.—The terms of the present members of the board shall be terminated on the effective date of this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R1058, S782)

No. 1288

An Act Appropriating Four Thousand Dollars, If So Much Be Necessary, For The Construction Of Toilet Facilities In The Laurens County Courthouse.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby appropriated from the Laurens County Unappropriated Surplus Fund the sum of four thousand dollars, if so much be necessary, to be expended by the supervisor and county commissioners for the purpose of constructing toilet facilities in the Laurens County Courthouse for Negro men and women.

Should any of the funds made available be unused, the balance shall revert and be credited to the Unappropriated Surplus Fund.

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1070, H2483)

No. 1289

An Act Providing For An Election Of The Voters In Laurens County To Determine Whether Or Not They Favor The Par-

participation Of The County In The Proposed Technical Education Program For The Area In Which Laurens County Is Situated And For The Expenditure Of Not More Than Twenty-One And Three Tenths Per Cent Of The Local Costs Of The Program To Be Borne By The Five Counties Of The Area Including A Cash Payment Of Twenty-Six Thousand Six Hundred Twenty-Five Dollars And Twenty-One And Three Tenths Per Cent Of Funds To Be Borrowed For Building Purposes For The Area Program.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laurens County to have election concerning technical education program.—In order to ascertain if the approval of the qualified electors of Laurens County shall be given for the participation of the county in a proposed technical education program in the area in which Laurens County is situated and for the expenditure of an amount not to exceed twenty-one and three tenths per cent of the local costs of the program to be borne by the five counties of the area including a cash payment of twenty-six thousand six hundred twenty-five dollars and twenty-one and three tenths per cent of funds to be borrowed for building purposes for the area program, a special election shall be held in the county on June 9, 1964.

SECTION 2. Conduct of election.—The election shall be conducted by the Commissioners of Election for Laurens County and shall be held in accordance with the provisions of the South Carolina Election Law applicable to special elections and all qualified electors in the county shall be permitted to vote. The ballot to be used in such election shall be in form substantially as follows:

Shall Laurens County participate in the proposed technical education program for the area in which Laurens County is situated and expend therefor an amount not to exceed twenty-one and three tenths per cent of the local costs of the program to be borne by the five counties of the area including a cash payment of twenty-six thousand six hundred twenty-five dollars and twenty-one and three tenths per cent of funds to be borrowed for building purposes for the area program?

Yes ☐

No ☐

Appearing on the ballot shall be instructions clearly printed apprising those who wish to vote in favor of such participation and expend such funds to place a check or cross mark in the square or block appearing

opposite the word "Yes" and apprising those who oppose such participation and expenditure to place a check or cross mark in the square or block appearing opposite the word "No".

SECTION 3. Notice.—The County Board of Commissioners of Laurens County, hereinafter called the board, shall give notice of the holding of the election by a publication to appear in one or more newspapers published in the county once a week for three weeks prior to the date set for the holding of the election.

SECTION 4. Ballots.—The board shall have the necessary ballots prepared and the commissioners of election shall have the required number of ballots delivered to each voting place in the county.

SECTION 5. Record of ballots.—The managers of each precinct shall file with the commissioners of election returns showing the number of ballots delivered to them, the number of ballots used in the election and the number spoiled, the number of persons voting "Yes" and the number of persons voting "No".

SECTION 6. Results.—Upon being advised of the results of the election, the board shall, by resolution duly adopted, declare the results thereof, and shall cause a certified copy of such resolution declaring such results to be filed with the Laurens County Legislative Delegation.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1090, S746)

No. 1290

An Act To Appropriate From The Unappropriated Surplus Fund Of Laurens County Twelve Thousand Dollars For The Laurens County Civil Defense Rescue Squad.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby appropriated from the unappropriated surplus fund of Laurens County the following:

Laurens County Civil Defense Rescue Squad \$ 12,000.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1093, S800)

No. 1291

An Act To Authorize The Board Of Trustees Of Laurens County School District No. 55 To Issue General Obligation Bonds Of The District Up To The Constitutional Limit; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purpose For Which Their Proceeds May Be Expended; And To Make Provisions For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. General Assembly finds additional facilities needed in Laurens County School District 55.—The General Assembly finds that facilities are needed in Laurens County School District No. 55 to replace Central Elementary School and for capital improvements and other facilities within the district and has determined to permit the board of trustees of the district to construct and equip such facilities with the proceeds of the bonds authorized by this act.

SECTION 2. Bond issue authorized.—In order to raise funds for the construction and equipping of the facilities, the board is authorized to issue and sell general obligation bonds of the district (without the necessity of holding an election), in an amount not to exceed the constitutional limit.

SECTION 3. Maturity.—All bonds shall mature in such annual series or installments as the board shall provide, except that the first maturing bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no bond shall mature later than twenty years from the date of issue.

SECTION 4. Redemption.—Any bond may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the

proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Laurens County, upon such conditions as the board may prescribe. When so registered, all bonds shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The bonds shall be made payable at such places, within or without the State, as the board shall provide.

SECTION 7. Interest.—The bonds shall bear interest at rates determined by the board.

SECTION 8. Denominations.—The bonds and the coupons to be thereunto attached shall be in such denomination and shall be executed in such manner as the board shall prescribe by resolution.

SECTION 9. Sale.—The bonds shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the school district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Laurens County, and collected by the Treasurer of Laurens County, in the same manner as county taxes are levied and collected, on all taxable property in the school district, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of the bonds shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds shall be paid to the Treasurer of Laurens County, to be deposited in a bond account fund for the school district, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the board, for the following purposes:

(1) To defray the costs of issuing the bonds authorized by this act;

(2) To provide for additional public school facilities for the school district in the manner contemplated by Section 2 of this act.

(d) If, after the completion of the board's program, the board shall certify to the Treasurer of Laurens County that any remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

SECTION 14. No further action required.—No action other than that prescribed in this act need be taken, to effect the issuance of the bonds herein authorized, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act, other than to have the Laurens County Attorney advise and prepare the issuance of the bonds.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1094, S801)

No. 1292

An Act To Authorize The Board Of Trustees Of Laurens County School District No. 56 To Issue General Obligation Bonds Of The District Up To The Constitutional Limit; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purpose For Which Their Proceeds May Be Expended; And To Make Provisions For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. General Assembly finds additional facilities needed in Laurens County School District 56.—The General Assembly finds that facilities are needed in Laurens County School District No. 56 to replace Hampton Avenue Elementary School and Providence Elementary School and for capital improvements and other facilities within the district, and has determined to permit the board of trustees of the district to construct and equip such facilities with the proceeds of the bonds authorized by this act.

SECTION 2. Bond issue authorized.—In order to raise funds for the construction and equipping of the facilities, the board is authorized to issue and sell general obligation bonds of the district (without the necessity of holding an election), in an amount not to exceed the constitutional limit.

SECTION 3. Maturity.—All bonds shall mature in such annual series or installments as the board shall provide, except that the first maturing bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no bond shall mature later than twenty years from the date of issue.

SECTION 4. Redemption.—Any bond may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the priv-

ilege to any holder of having them registered as to principal on the books of the Treasurer of Laurens County, upon such conditions as the board may prescribe. When so registered, all bonds shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The bonds shall be made payable at such places, within or without the State, as the board shall provide.

SECTION 7. Interest.—The bonds shall bear interest at rates determined by the board.

SECTION 8. Denominations.—The bonds and the coupons to be thereunto attached shall be in such denominations and shall be executed in such manner as the board shall prescribe by resolution.

SECTION 9. Sale.—The bonds shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the school district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Laurens County, and collected by the Treasurer of Laurens County, in the same manner as county taxes are levied and collected, on all taxable property in the school district, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of the bonds shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds shall be paid to the Treasurer of Laurens County, to be deposited in a bond account fund for the school district, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the board, for the following purposes:

(1) To defray the costs of issuing the bonds authorized by this act;

(2) To provide for additional public school facilities for the school district in the manner contemplated by Section 2 of this act.

(d) If, after the completion of the board's program, the board shall certify to the Treasurer of Laurens County that any remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

SECTION 14. No further action required.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act, other than to have the Laurens County Attorney advise and prepare the issuance of the bonds.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1095, S802)

No. 1293

An Act Removing From The State Highway System And Authorizing The Closing Of A Portion Of South Holland Street In The City Of Clinton.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Portion of street in City of Clinton may be closed.
—That portion of South Holland Street from Fifth Avenue to East

Maple Street in the City of Clinton, Laurens County, is hereby removed from the State Highway System and the City Council of Clinton is authorized to close that portion so removed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1096, S803)

No. 1294

An Act To Provide A Supplemental Appropriation For An Increase In Teachers' Salaries In Laurens County And To Provide A Tax Levy Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby appropriated thirty-three thousand dollars for School District No. 55 and thirty-one thousand dollars for School District No. 56 in Laurens County which shall be utilized as a supplement to increase to twenty per cent the 1964-1965 State Aid Schedule for teachers in the respective districts. *Provided*, that the county auditor shall first ascertain from the State auditor whether or not sufficient State funds will be forthcoming for this purpose. If, by June 1, 1964, the county auditor determines that State funds are insufficient to pay the increase provided in this act, the auditor of the county shall levy, and the treasurer shall collect, a sufficient tax in the respective districts to pay the increase; *provided*, however, the tax shall in no event exceed five mills.

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1097, S817)

No. 1295

An Act To Appropriate Funds From The Laurens County Unappropriated Surplus To The Laurens County Board Of Assessors And Equalization.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby appropriated from the Laurens County Unappropriated Surplus to the Laurens County Board of Assessors and Equalization the sum of one thousand five hundred dollars.

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1146, H2567)

No. 1296

An Act To Provide For The Levy Of Taxes For School And County Purposes For The Fiscal Year 1964-1965; To Direct The Expenditure Thereof; To Provide For The Borrowing Of Money For Laurens County; To Provide Authority For Peace Officers; And To Further Regulate The Fiscal Affairs Of Laurens County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The County Auditor of Laurens County is hereby directed to levy a tax of fourteen mills on all taxable property of Laurens County for the year 1964 which, together with the estimated revenues for the fiscal year 1964-1965 from other sources applicable to county purposes, shall be sufficient to raise the sums of money hereinafter appropriated. The County Treasurer of Laurens County is hereby directed to collect the tax in the manner provided by law.

SECTION 2. Subject to the terms and conditions of this act, the sums of money set forth herein, if so much be necessary, be, and the same are hereby appropriated out of the general fund of Laurens County, to meet the ordinary operating expenses of Laurens County applicable to the fiscal year 1964-1965 and for such other purposes as may be hereinafter specifically designated.

SECTION 3. Appropriations:

Item 1. Board of Commissioners:

A. Salaries:

1. Supervisor	\$ 5,457.38
2. Commissioners (2 @ \$808.14 each)	1,616.27
3. Clerk	3,335.06

4. Assistant	3,031.88
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	13,440.59
B. Travel:	
1. Travel for Supervisor	2,400.00
2. Travel for 2 Commissioners @ \$350.00	700.00
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	3,100.00
C. Office Supplies	800.00
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	800.00
D. Courthouse:	
1. Water, lights, fuel, telephone, janitor, supplies, cleaning grounds	10,000.00
2. Beautifying the lawn and building walks—to be done under the supervision of the County Gar- den Clubs	100.00
3. Ladies' Rest Room	945.00
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	11,045.00
E. Insurance—for Courthouse, Jail, County Home, Agriculture Building and Chain Gang Camp Buildings	1,600.00
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	1,600.00
F. Supervisor:	
1. Salaries	59,764.32
2. Maintenance of roads and bridges and supplies	90,000.00
3. For equipment and supplies and for patching and otherwise improving black top roads	50,000.00
	<hr/>
	199,764.32
G. County Home:	
1. Salaries:	
a. Superintendent	2,347.88
b. Assistant Superintendent	466.91
c. Additional help to care for inmates	3,521.83
2. Food, clothing, fuel, lights, etc., for inmates, and for farming expenses	11,000.00
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	17,336.62

H. S. C. Retirement System for County Employees	9,300.00
H-1. County's part of Social Security	9,500.00
H-2. County's part of Travelers Insurance	350.00
	<hr/>
	19,150.00
I. S. C. Industrial Commission—premium for Workmen's Compensation Insurance	3,000.00
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	3,000.00
J. County Attorney	500.00
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	500.00
K. S. C. Police Officers Retirement System	4,400.00
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	4,400.00
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Total, Item 1	\$274,136.53
Item 2. Clerk of Court:	
A. Salaries:	
1. Clerk of Court	\$ 5,457.38
2. Deputy Clerk	3,335.06
3. Clerical Assistant	3,031.88
4. Second Assistant	3,031.88
5. Janitor for Courthouse—to be named by Clerk of Court and perform such duties as the Clerk prescribes	2,835.00
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	17,691.20
B. 1. Travel for Clerk of Court	300.00
2. Courthouse Custodian travel	360.00
	<hr/>
	660.00
C. Office Supplies	5,350.00
C-2. Photostat machine supplies	3,000.00
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	8,350.00
D. Circuit Court and Civil and Domestic Relations Court—expenses, including jurors, witnesses and bailiffs	20,000.00
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	20,000.00

Provided, witnesses shall receive two dollars per day and all jurors, bailiffs and the court crier in attendance upon the court shall receive as compensation the sum of seven dollars and fifty cents per diem and mileage as now prescribed by law.

Total, Item 2	\$ 46,701.20
Item 3. Auditor:	
A. Salaries:	
1. Auditor	\$ 2,007.11
2. First Assistant	3,335.06
3. Second Assistant	3,031.88
4. Third Assistant	3,031.88
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	11,405.93
B. Office Supplies, includes \$250.00 IBM maintenance	1,500.00
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	1,500.00
C. Board of Assessors and Equalization—each member shall be paid seven dollars and fifty cents per day for services actually rendered plus state mileage of seven cents per mile	3,750.00
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	3,750.00
D. Travel for Auditor	900.00
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	900.00
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Total, Item 3	\$ 17,555.93
Item 4. Treasurer:	
A. Salaries:	
1. Treasurer	\$ 2,007.11
2. Assistant	3,335.06
3. Extra Help	100.00
	<hr/>
	5,442.17
B. Travel for Treasurer	300.00
	<hr/>
	300.00

C. Tax Collector:

1. Salaries:

a. Supervisor, Tax Collector's Office	727.65
b. Deputy Delinquent Tax Collector	4,365.90
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	5,093.55

Provided, that the Supervisor of the Tax Collector's Office shall designate the Deputy Tax Collector and field men; *provided*, further, that all fees and costs of execution shall be remitted to the general fund of the county; *provided*, however, that one dollar of the execution fee and mileage shall be paid to the field men as compensation for services, plus four per cent of the amount collected.

D. Office Supplies	3,100.00
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	3,100.00

Total, Item 4	\$ 13,935.72
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Item 5. Superintendent of Education:

A. Salaries:

1. Superintendent of Education	\$ 880.46
2. Assistant	3,335.06
3. Attendance Teacher	400.21
4. Supervisor of School Lunch Program	400.21
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	5,015.94

B. Travel for Superintendent of Education	900.00
Travel for School Lunch Supervisor	522.00
Travel for Attendance Teacher	600.00
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	2,022.00

C. Office Supplies	350.00
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	350.00
D. Attendance Teacher—aid for needy children ..	200.00
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	200.00

Total, Item 5	\$ 7,587.94
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Item 6. Sheriff:

A. Salaries:

1. Sheriff	\$ 5,457.38
2. Chief Deputy	4,183.33
3. Deputy Sheriffs (9 @ \$3,521.83)	31,696.47
<i>Provided</i> , one of the above Deputy Sheriffs shall be assigned to the Wattsville area.	
4. Deputy for day work	3,521.83
5. Deputy for night work	3,521.83
6. Jailer	3,521.83
7. Deputy Sheriffs for mills—(3 @ \$226.79)	680.37
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	52,583.04

Provided, the Sheriff shall have the authority to name one deputy as Chief Deputy, and such deputy shall be placed under bond of \$2,500.00.

B. Travel:

1. Sheriff	2,400.00
2. Deputy Sheriffs—10 @ \$200.00 per month	24,000.00
3. Deputy Sheriffs—2 @ \$100.00 per month	2,400.00
4. Day clerk—\$125.00 per month	1,500.00
5. Head mill deputy at Joanna, transporting prisoners and witnesses to jail and trial at magistrates' courts—\$100.00 per month	1,200.00
6. Head mill deputy at Lydia Mill, transporting prisoners and witnesses to jail and trial at magistrates' courts—\$100.00 per month	1,200.00
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	32,700.00

C. Uniforms and overcoats—July 1, 1964, to June 30, 1965—13 @ \$150.00 per year	1,950.00
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	1,950.00
D. Office supplies	1,400.00
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	1,400.00

E. Radio system:

1. Maintenance	900.00
2. Supplies	500.00
3. Payment on Sheriff's radios	2,402.52
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	3,802.52

F. Jail:

Water, lights, fuel, disinfectants, plumbing, re- turning prisoners taken into custody outside of county and outside of State, and dieting pris- oners at one dollar and five cents per day	12,000.00
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	12,000.00

Total, Item 6\$104,435.56

Item 7. Judge of Probate:

A. Salaries:

1. Judge of Probate	\$ 5,457.38
2. Clerk	3,335.06
3. Assistant	3,031.88
	<hr/>
	11,824.32

Provided, that all fees collected in this office shall be turned over to the county treasurer. This does not include commissions received from the Tax Commission on inheritance taxes. Certified copies of marriage licenses shall be furnished free of charge on request to persons in the Armed Services of the United States and to veterans of the Korean Conflict, but no more than one copy shall be furnished without charge.

B. Travel for Probate Judge	900.00
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	900.00
C. Office supplies	1,500.00
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	1,500.00

Total, Item 7\$ 14,224.32

Item 8. Health Department:

County's part of salaries and travel allowance of county employees, office supplies and maintenance of building. It shall be the duty of the health department to handle the vital statistics of Laurens County \$ 21,633.00

Total, Item 8 \$ 21,633.00

Item 9. Magistrates:

A. Salaries:

1. Laurens	\$ 1,819.73
2. Clinton	1,467.43
3. Cross Hill	336.26
4. Waterloo	336.26
5. Gray Court	336.26
6. Youngs	336.26
7. Scuffletown	336.26
8. Sullivans	336.26
9. Jacks	336.26
10. Joanna	336.26
11. For stenographic help in holding inquests and preliminaries, to be expended upon the approval of the coroner and the sheriff, if so much be necessary	600.00

6,577.24

Provided, however, that in addition to the above compensation, each magistrate shall be paid the sum of ten dollars for each jury trial in which he or she presides and for each inquest.

B. Office rent—Clinton 144.00

144.00

C. Office supplies 400.00

C-1. Stamps and stationery @ \$10.00 per magistrate 100.00

500.00

- D. For payment of jurors in criminal cases, and for miscellaneous expenses, including payments to magistrates for holding jury trials and inquests 2,300.00

2,300.00

Provided, that hereafter all jurors actually serving in trial of criminal cases in magistrates' courts shall be paid two dollars for each case so tried. The presiding magistrate shall issue to each juror so serving a pay certificate showing the date of service which shall be paid upon presentation to the county treasurer.

Total, Item 9\$ 9,521.24

Item 10. Agriculture:

A. County supplement to State income:

- | | |
|---|-----------|
| 1. County Agent | \$ 600.00 |
| 2. Secretary to County Agent | 120.00 |
| 3. Stenographer for Home Demonstration Agent | 360.00 |
| 4. Assistant County Agent | 660.00 |
| 5. Second Assistant County Agent | 600.00 |
| 6. Demonstration materials—Home Demonstration Agent | 120.00 |
| 7. Construction of addition to building | 4,000.00 |
| 8. Travel for County Agent | 300.00 |

6,760.00

- B. Agriculture Building—pay for janitor, janitor supplies, plumbing and other minor repairs, fuel, water, lights, telephone and postage 1,300.00

1,300.00

C. Club Work:

- | | |
|-------------------------------|--------|
| 1. Boys' 4-H Club work | 100.00 |
| 2. Girls' 4-H Club work | 100.00 |
| 3. Negro 4-H Club work | 100.00 |
| 4. F. F. A. | 175.00 |
| 5. Future Homemakers | 175.00 |

650.00

D. Rent, lights and fuel—Negro County Agent . . .	350.00
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	350.00
E. Stenographer for Negro Farm Agent	900.00
1. Demonstration material	50.00
2. Travel for Negro County Agent	300.00
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	1,250.00
F. Rent:	
1. AAA Office	600.00
2. FSA Office	270.00
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	870.00
G. Laurens Cooperative Breeding Association	200.00
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	200.00
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Total, Item 10	\$ 11,380.00
Item 11. Department of Public Welfare:	
A. For maintenance, including office expense and mileage for child welfare worker	\$ 5,155.00
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	5,155.00
<i>Provided</i> , that the board members shall receive \$25.00 per month from this fund.	
B. Emergency assistance	2,400.00
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	2,400.00
C. Boarding home care	1,500.00
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	1,500.00
D. Aid for indigent aged	1,000.00
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	1,000.00
E. Travel for employees on a prorata basis	1,400.00
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	1,400.00

F. Heart Fund	300.00
	<hr/>
	300.00
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Total, Item 11	\$ 11,755.00
Item 12. County Service Officer	\$ 5,457.38
Secretary to County Service Officer	3,031.88
Office supplies and travel	1,000.00
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	9,489.26
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Total, Item 12	\$ 9,489.26
Item 13. Domestic Relations Court:	
A. Salaries:	
1. Judge	\$ 5,040.00
2. Stenographer	1,600.00
3. Office supplies and rent	600.00
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	7,240.00
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Total, Item 13	\$ 7,240.00
Item 14. Laurens County Library	\$ 25,000.00
<i>Provided, that the distribution and circulation of library books in rural schools shall not be cur- tailed.</i>	
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	25,000.00
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Total, Item 14	\$ 25,000.00
Item 15. Coroner:	
A. Salary:	
1. Coroner	\$ 2,520.00
2. Travel for Coroner	300.00
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	2,820.00
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Total, Item 15	\$ 2,820.00

Item 16. County Physician:

A. Salaries:

1. County Physician\$ 1,312.50

B. Medical Supplies 300.00

Provided, no medical supplies shall be purchased except on written approval of the County Physician and shall not exceed \$25.00 per month.

1,612.50

Total, Item 16\$ 1,612.50

Item 17. Forest Fire Control:

A. Per diem and mileage for board members\$ 200.00

B. Ranger 300.00

C. 3 Wardens @ \$120.00 360.00

D. Tractor Driver 150.00

1,010.00

Total, Item 17\$ 1,010.00

Item 18. Miscellaneous:

A. County Audit—not to exceed\$ 3,500.00

3,500.00

B. Secretary of Delegation—Office expense and telephone 400.00

400.00

C. Lunacy Examinations 1,300.00

1,300.00

D. Contingent 5,000.00

5,000.00

E. Board of Registration (3 @ \$100.00 for meeting away from County Seat) 300.00

E-1. Travel—\$150.00 each 450.00

750.00

F. Premium on Bonds	825.00
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	825.00
G. Supplement for stenographer to Probation Of- ficer	840.00
1. Office Expense	50.00
2. Liaison Office for Solicitor	1,800.00
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	2,690.00
H. Civil Defense	4,000.00
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	4,000.00
I. Planning and Development Commission	5,000.00
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	5,000.00
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Total, Item 18	\$ 23,465.00
Item 19. National Guard Units:	
A. Laurens	\$ 600.00
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	600.00
B. Clinton	600.00
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	600.00
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These funds are not available if any of the above guard units are called into Federal Service, or if called out to police any integrated school in this State.	
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Total, Item 19	\$ 1,200.00
Item 20. Contributions:	
A. Transportation and Medicine for cancer pa- tients	\$ 1,800.00
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	1,800.00
B. Soil Conservation Office	500.00
B-1. Stenographer	1,100.00
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	1,600.00
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Total, Item 20	\$ 3,400.00

Item 21. Mental Health Clinic:

Area No. 5 Mental Health Clinic—Laurens	
County's prorated contribution	\$ 6,700.00
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	6,700.00
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Total, Item 21	\$ 6,700.00

GRAND TOTAL\$614,803.20

Estimated Revenues:

Estimated income on 14 mills taxes	\$180,000.00
Fines	56,000.00
Gasoline Tax	157,000.00
Alcoholic Liquors tax	40,000.00
Beer and Wine tax	12,000.00
Income tax	53,000.00
Delinquent taxes—County	7,600.00
Delinquent taxes—Fees	3,500.00
Recording Fees (Clerk's Office)	27,000.00
Dividends	2,300.00
National Forest Fund	3,700.00
Library Board	5,100.00
Bank Tax	5,400.00
Service Office	4,815.00
Insurance License Fees	30,000.00
Civil Defense	4,000.00
Miscellaneous Fees	6,600.00
Unappropriated Surplus	43,100.00

Total, Estimated Revenues\$641,115.00

SECTION 4. The county sheriff is hereby authorized and required to make a monthly report to the Laurens County Treasurer and at the same time turn over to the county treasurer all fines, fees and mileage, except all fees collected for the service of magistrates' papers. The report shall be made on or before the tenth day of each month.

SECTION 5. The county supervisor is hereby authorized and required to make a quarterly report to the Laurens County Delegation in the General Assembly, giving an itemized and verified statement of all expenditures pertaining to his office which have been paid by

him and also an itemized statement of all debts and obligations incurred for which Laurens County is liable. The report shall be made on or before April fifteenth, July fifteenth, October fifteenth and January fifteenth of each year.

SECTION 6. The supervisor and county commissioners are hereby required to keep a separate account covering the various items of the appropriations act not to exceed in expenditure the amount herein provided for each item; and for any excess allowed or permitted, the officers shall be held on their official bond. It shall be unlawful for any county commissioner or commissioners, or other officers of county government, to purchase, bargain for, or contract for any materials or services which would create a deficit in any item or provision hereof within the time covered by this act, except upon written approval of a majority of the delegation.

SECTION 7. The county treasurer is authorized to pay claims for school teachers' salaries and for other school purposes from the general fund of the county, all such amounts to be refunded to the general fund when State aid and current school taxes are received in the treasurer's office.

SECTION 8. The official bond for the County Supervisor of Laurens County shall be ten thousand dollars and no claim against Laurens County shall be paid until it has had the approval in writing of the county supervisor and at least one of the two county commissioners. All expenditures in excess of the appropriations herein made, and not duly authorized by law, made by the County Supervisor and Board of County Commissioners for Laurens County, shall not constitute a valid indebtedness against Laurens County and all such contracts shall be null and void unless same have previously been approved by a majority of the delegation. The official bond of the county supervisor and county commissioners shall be responsible for all unauthorized expenditures and contracts made by such officers on behalf of Laurens County. The supervisor is hereby required to notify the sheriff immediately upon the escape of any convict from the county chain gang, and the sheriff shall have his actual expenses for the capture of such escaped convict, when necessary to go out of the county.

SECTION 9. The board of county commissioners is hereby authorized and directed to divide the expenditures of such appropriations

into monthly payments and monthly expenditures shall not exceed one-twelfth of the annual appropriations, unless otherwise stipulated.

SECTION 10. In the event of a vacancy or a new recommendation, there shall be appointed and commissioned by the Governor, upon the named, three special deputies to have the usual authority of peace officers, and who shall be assigned to duty as follows: two at Joanna Mill and one at Lydia Mill, as the sheriff may designate, and shall be paid by the Treasurer of Laurens County the sum of two hundred twenty-six dollars and seventy-nine cents each per year, and the two mills may supplement the salaries if they do so desire, such appointments to be made for a period of two years; *provided*, however, that the terms of such appointments shall not extend beyond the term of the sheriff at any time. Such deputies must be sworn in office before the Clerk of Court of Laurens County, and shall have the usual bond in the sum of one thousand dollars, conditioned upon the faithful performance of duty. *Provided*, that all pay and allowances for mill deputies provided by this act shall be paid by the treasurer only when approved by the Sheriff of Laurens County.

SECTION 11. The Board of County Commissioners of Laurens County is hereby authorized and required to advertise for competitive bids for the purchase of all supplies used by Laurens County, including the county home, and shall accept the lowest responsible bid for the same and any purchase not made in conformity thereto shall not be a debt against the county. *Provided*, however, the board of commissioners shall purchase any such supplies from the State Purchasing Agent if such purchases can be made at a cost less than the lowest bid herein referred to. Supplies herein mentioned include road materials, office equipment, and other equipment and machinery of a value of more than one hundred dollars, but does not include purchase of parts or personal service for repairs of equipment where no competitive part or service is available; *provided*, that the board shall have the right to reject any bid which does not meet its requirements as to quality, specifications or description. *Provided*, further, that the term "board of commissioners" shall include the supervisor and the two county commissioners.

SECTION 12. The salaries herein provided for the various officers of Laurens County, except magistrates, shall be in lieu of all fees and costs, of whatsoever nature or description, collectible by them

for services rendered on or after April 1, 1935. All fees or costs collected by any of such officers under the law providing the same for services rendered shall be turned over by such officer to the County Treasurer of Laurens County monthly, together with a statement under oath, showing the amount collected during the month immediately preceding such statement. All county officers are hereby forbidden to deposit any monies belonging to the county with his or her personal accounts.

SECTION 13. The official bond required of the Sheriff of Laurens County shall be five thousand dollars for which amount he shall give bond for the faithful performance of his duties, the premium of which shall be paid by the county; *provided*, that each of his deputies is required to give surety bond, conditioned upon the faithful performance of his duties, in the sum of one thousand dollars, the premium of the bonds of such deputies to be paid by Laurens County.

SECTION 14. There is hereby levied upon all the taxable property of the Laurens Hospital District four mills, which shall be known as the hospital fund for the Laurens Hospital District. Out of this fund there shall first be paid the insurance premium of the fire insurance policy covering the hospital located in the District, and the balance thereof shall be expended for the care and support of the needy or charity patients (past and present) of the Laurens Hospital District and it shall be the duty of the county board of commissioners to pass upon all claims approved by the operating board of trustees of the Laurens County Hospital District; *provided*, however, that patients admitted to the hospital from the county jail, county chain gang and from courts of the county and State shall be considered and treated as charity.

SECTION 15. There is hereby levied upon all the taxable property of the Clinton Hospital District four mills, which shall be known as the hospital fund for the Clinton Hospital District. Out of this fund there shall first be paid the insurance premium of the fire insurance policy covering the hospital located in the District and the balance thereof shall be expended for the care and support of the needy or charity patients (past and present) of the Clinton Hospital District, and it shall be the duty of the county board of commissioners to pass upon all claims approved by the operating board of trustees of the Clinton Hospital District; *provided*, however, that patients admitted to the hospital from the county jail, county chain gang and from the

courts of the county and State shall be considered and treated as charity.

SECTION 16. Provisions made herein for additional clerical help in the several offices shall not be used to supplement salaries of regular employees.

SECTION 17. The county treasurer is hereby authorized, empowered and directed to transfer from the county sinking fund to the general fund of the county the funds now in and hereafter accruing to the account for the past indebtedness.

SECTION 18. The auditor shall levy and the treasurer shall collect the tax on all the taxable property of Laurens School District No. 55 and Laurens School District No. 56, not to exceed thirty-five mills. *Provided*, that in School District No. 56 the above thirty-five mill levy shall include four mills for the payment of the bond levy, and one mill which shall be applied to the existing deficit. *Provided*, further, that in the event any money shall remain in the current operating fund of School District No. 55 or School District No. 56, at the end of the fiscal year, all such money shall be applied to any deficit of the respective districts. The treasurer shall credit the amounts collected in the respective districts to the account of the districts, and the funds shall be expended under the supervision and direction of the trustees of such school districts for general school purposes.

Provided, further, that the trustees of either School District No. 55 or School District No. 56 shall petition the County Board of Education of Laurens County for an election on the question of raising the levy for school purposes whenever a greater levy than thirty-five mills is needed to meet the budgets of the school districts.

SECTION 19. Any funds received by the treasurer by reason of the terms of the appropriations act for 1963 for the benefit of the schools of Laurens County shall be credited to the districts as provided by law and shall be expended by the trustees of the districts for general school purposes.

SECTION 20. All transfers of funds heretofore made by the county treasurer from one account to another made upon the written request of a majority of the Laurens County Legislative Delegation, including the Senator, are hereby validated.

SECTION 21. The appropriation hereinabove made for the county attorney, and for the hiring of auditors to audit the books shall be

spent only upon direction of the Laurens County Legislative Delegation, including the Senator; and the county attorney and the company which audits the county books shall be named by the Laurens County Legislative Delegation, including the Senator.

SECTION 22. This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1252, S864)

No. 1297

An Act Providing For A Referendum In Laurens County To Determine The Wishes Of The Qualified Electors Concerning Equalization Of Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laurens County to have referendum concerning equalization of property.—There shall be a special election in Laurens County to be held on the second Tuesday in November, 1964, at which the following question shall be submitted to the qualified electors of the county: "Are you in favor of equalizing all taxable real property in Laurens County not assessed by the South Carolina Tax Commission provided the total assessment of taxable real property for Laurens County, after equalization, does not exceed five per cent more than the total assessment of taxable real property as of January first of the year preceding completion of the equalization program?"

In favor of ☐

Opposed to ☐

SECTION 2. Conduct of election.—The Laurens County Election Commissioners shall conduct the elections provided in this act in the manner set forth in the South Carolina Election Law and shall certify the results thereof to the Laurens County Legislative Delegation, Clerk of Court of Laurens County and the Secretary of State. The expenses shall be paid from the general funds of the county.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1018, H2497)

No. 1298**An Act To Make Appropriation For The Operating Expenses Of Lee County For The Fiscal Year 1964-1965, And To Provide For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Out of the available funds now on hand, and to be received, there is hereby appropriated for county purposes for the fiscal year beginning July 1, 1964, and ending June 30, 1965, the following :

Item 1. Roads, bridges and chain gang :

Salary, Superintendent of Roads	\$ 4,800.00
Salary, (2) employees @ \$2,820.00	5,640.00
Salary, (4) employees @ \$2,670.00	10,680.00
Salary, (1) employee	1,800.00
Clothing and bedding for prisoners	3,000.00
Gasoline, oil, grease, tires and tubes	7,800.00
Lumber and pipe	3,000.00
Coal, lights, medicine and doctor's bills	2,400.00
Repairs and other miscellaneous items	11,000.00
Dieting prisoners and guards' meals	8,000.00
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Total Item 1	\$ 58,120.00

Item 2. Administrative :

Auditor (to make total salary \$5,348.00)	\$ 1,500.00
Treasurer (to make total salary \$5,348.00)	1,500.00
Clerk of Court	2,360.00
Attorney	600.00
Coroner	775.00
Chairman, County Board of Commissioners additional	260.00
County Commissioners, seven @ \$600.00 each ..	4,200.00
Clerk, Auditor's Office	2,580.00
Clerk, Treasurer's Office	2,580.00
Clerk, County Board of Commissioners	3,400.00
Assistant Clerk, County Board of Commissioners	1,200.00
Clerk, Clerk of Court's Office	2,580.00
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Total Item 2	\$ 23,535.00

Item 3. Judicial:

Judge of Probate	\$ 1,200.00
Clerk, Judge of Probate's Office	1,200.00
Magistrate, Bishopville	1,800.00
Magistrate, Lynchburg	1,100.00
Magistrate, Lucknow	600.00
Magistrate, St. Charles	600.00
Magistrate, Spring Hill	600.00
Magistrate, Ashwood	600.00
Magistrate, Cypress	600.00
Magistrate, Ionia	600.00
Magistrate, Stokes' Bridge	600.00
Jurors, Bailiffs and witnesses, including per diem of jurors and bailiffs at \$4.00 and witnesses at \$1.00 per day	2,000.00
Total Item 3	\$ 11,500.00

Item 4. Law Enforcement:

Sheriff, salary	\$ 4,380.00
Sheriff, traveling expense	1,500.00
Deputies, (5) at \$2,700.00 each per annum	13,500.00
Deputies, subsistence (5) at \$600.00 each per annum	3,000.00
Clerk, Sheriff's Office	2,580.00
Jailor	2,000.00
Miscellaneous jail expense	1,000.00
Dieting jail prisoners	2,400.00
Uniforms for Sheriff and (5) deputies	900.00
Miscellaneous administrative expenses	500.00
Gas, oil, batteries, tires and repairs to police cars	5,000.00
Maintenance of Police Radios	1,000.00
Total Item 4	\$ 37,760.00

Item 5. Social Welfare:

General Relief	\$ 3,000.00
Old soldiers and their widows residing in Lee County	60.00
Lee County Health Department	9,000.00
Public Welfare Department (matching fund for expenses)	1,000.00

Vital Statistics (Health Department)	250.00
Total Item 5	\$ 13,310.00
Item 6. Courthouse and public buildings:	
Workmen's compensation insurance	\$ 1,000.00
Water, fuel, lights, insurance and bonds	9,500.00
Janitor, Courthouse	2,400.00
Janitress Courthouse (appointed by janitor) ..	400.00
Total Item 6	\$ 13,300.00
Item 7. Miscellaneous:	
Contingent fund, to be disbursed only on written approval of the county legislative delegation ...	\$ 10,000.00
Post mortems and lunacy	1,000.00
Board of Tax Assessors and Tax Appeals	500.00
Books, etc., Clerk of Court's Office	1,000.00
Printing, postage and stationery	2,000.00
American Legion Hut and grounds, Bishopville ..	100.00
American Legion Hut and grounds, Lynchburg ..	100.00
V.F.W. Hut and grounds, Bishopville	100.00
4-H Boys' Club Work	100.00
4-H Girls' Club Work	100.00
Additional salary, Home Demonstration Agent ..	600.00
Additional salary, County Agent	900.00
Additional salary, Assistant County Agent	660.00
Additional salary, Assistant County Agent	300.00
Clerical help County Agent's Office	900.00
Clerk, Soil Conservation Office	600.00
Home Demonstration Agent and County Agent demonstration supplies	125.00
Salary, County Service Officer	3,400.00
Clerk, County Service Officer	1,673.00
Lights, telephone, stamps and incidentals for Service Officer	540.00
Travel for Service Officer inside county	300.00
Travel and expenses for Service Officer outside county	300.00
Rent for office of Service Officer	540.00
Coroner's jurors @ \$2.00 per day	200.00
County payment retirement fund	1,500.00

Civil defense (county's part salaries and administration)	2,000.00
Lee County Public Library Commission for books	1,000.00
Lee County Public Library Commission for miscellaneous expenses	900.00
Salary, County Librarian	2,580.00
Salary, Assistant County Librarian and book-mobile librarian	1,415.00
Gas, oil, repairs, etc., library truck	400.00
Social Security	2,500.00
Company "D" Third Battle Group, South Carolina National Guard	1,500.00
Rural Fire Protection Commission	2,000.00
Lee County Industrial Planning Board	2,000.00
Rent, cotton platform @ \$65.00 per month	780.00
Miscellaneous repairs to public buildings	500.00
Lee County's contribution to Sumter Area T.E.C.	4,000.00

Total Item 7 \$ 49,113.00

Item 8. Traveling Expenses:

County Commissioners, seven @ \$330.00 each .. \$	2,310.00
Coroner	240.00
Auditor	360.00
Treasurer	360.00
Clerk of Court	240.00

Total Item 8 \$ 3,510.00

GRAND TOTAL \$210,148.00

Less Estimated Indirect Revenue:

Commutation Road Tax	\$ 2,600.00
Gasoline Tax	59,000.00
Income Tax	26,000.00
Beer, Wine and Whiskey Tax	22,000.00
Fines and Costs	27,800.00
Insurance Fees	6,300.00

State Contribution to County Service Officer . .	4,173.00
Other sources	8,000.00
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Total	\$155,873.00
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Amount to be raised by taxation	\$ 54,275.00

SECTION 2. The Auditor and Treasurer of Lee County are hereby authorized and directed to levy and collect upon all the taxable property of Lee County a sufficient number of mills, not to exceed twelve mills, if so much be necessary, to raise the amount stated in this appropriation act to be raised by taxation.

SECTION 3. The funds appropriated for roads, bridges and chain gang shall be spent and used in such a way as to cover the entire period of this act, and as near equally per month as possible, and the county board of commissioners is hereby forbidden to contract for or spend in excess of the appropriation in any way or make indebtedness therefor which cannot and is not paid for on the tenth of the next month after the purchase or expenditure is made. Any violation of this section shall subject the member or members of the commission to immediate removal by the Governor upon the written recommendation of the entire Lee County Legislative Delegation and any such purchase or expenditure in excess of the sums so appropriated shall not be an obligation of Lee County and be null and void.

SECTION 4. The funds appropriated for each and every purpose shall be used for that purpose only, and no part thereof shall be diverted from any one appropriation to another without the written consent of the Lee County Legislative Delegation.

SECTION 5. The county board of commissioners is hereby authorized, empowered and directed to keep all county records, books and vouchers in the board's office in the county courthouse and to keep such office open each weekday. They shall at all times keep an exact record of all sums paid on each and every appropriation of the county.

SECTION 6. The County Board of Commissioners of Lee County is hereby authorized, required and directed to buy the various provisions, supplies, etc., except perishables, necessary for the county chain gang at lowest possible prices. Fresh meats and vegetables shall be bought from local merchants on an impartial rotating basis, with no regard to factional affiliation. Gas, oil and grease shall be pur-

chased from the five major distributors in Lee County on a monthly rotating basis. The superintendent of roads shall be scrupulously fair in the division of this business.

SECTION 7. All new machinery, automotive and other equipment for the county and all political subdivisions of the county shall be purchased only by the county board of commissioners with the approval of the Lee County Legislative Delegation.

SECTION 8. The superintendent of roads shall use every care to keep the cost of operation of the chain gang as low as possible and he shall cause the prisoners and guards to keep all machinery and equipment properly greased and he shall cause the prisoners and guards to take extra care in operating the machinery and equipment. It shall be unlawful for any person to use gas or oil from county supplies in any vehicle other than county-owned. This shall apply to county commissioners, sheriff's department, county officials, or any other citizen.

SECTION 9. The County Board of Commissioners of Lee County shall be the sole purchasing agent for Lee County and any and all officers or employees of Lee County who may need any books, provisions, supplies and other material or thing for their offices or departments shall request the purchase of same by written request to the County Board of Commissioners of Lee County, which commission, if it deems the purchase necessary and strictly within the appropriation for such office or department, shall issue its regular requisition blank, numbered serially, in triplicate, for the purchase, deliver one copy to the officer or department requesting the purchase, deliver one copy to the seller to be presented along with the seller's itemized bill for such purchase at the time payment therefor is made. No officer or employee of Lee County shall make any purchase except in the manner herein provided and any purchase made or contracted for except by virtue of a proper requisition blank shall not be a debt against the county, but shall be the individual debt of the person making such a purchase. A copy of this section shall be mailed by the county board of commissioners to every officer or employee of Lee County and to such other concerns and people as it may deem proper.

SECTION 10. In order to prevent lost motion, duplication of effort and lack of definite responsibility, the chairman of the county board of commissioners is required to devote such part of his time as the

county board of commissioners may determine to be necessary. He shall execute the orders and policies of the commission, but no authority is denied the other members of the commission, nor is the chairman vested with greater power than his fellow members, but for convenience and better business methods, concentration of execution is delegated to the chairman rather than the entire commission. *Provided*, that in the case of incapacity of the chairman his duties shall, with the consent of the entire Lee County Legislative Delegation, devolve upon the other members of the county board until a chairman is again chosen.

SECTION 11. The county board of commissioners shall have full supervision of the county chain gang and there shall be paid out of the funds appropriated for dieting county gang prisoners, upon itemized statements properly verified by seller and approved by the board, the actual cost of food, fuel, water and lights necessary for the proper dieting of prisoners. *Provided*, however, such cost shall not exceed the sum of eighty cents per day for each prisoner confined on the chain gang, and the superintendent of roads shall file a monthly report showing an itemized list of all prisoners confined on the chain gang, the exact number of days each prisoner spent on the chain gang that month and the total maximum authorized cost based on the number of prisoners at the rate of eighty cents per day. No bill in excess of the maximum authorized cost shall be paid except with the written approval of the Lee County Legislative Delegation.

SECTION 12. The county board of commissioners shall pay out of the appropriation for extra food for gang employees, upon itemized statement properly verified by seller and approved by the board, the actual cost of extra food for meals of gang employees while on duty; *provided*, however, such cost shall not exceed the sum of fifteen dollars per month for each employee.

SECTION 13. The Board of County Commissioners of Lee County is hereby authorized to borrow, upon the written approval of the Lee County Legislative Delegation, not exceeding ninety per cent of the amount to be raised by taxation by the above levy, on note or notes to be executed by the chairman of the board and the County Treasurer of Lee County, which notes when so executed shall be a first lien on all taxes to be raised by the levy.

SECTION 14. The provisions of Section 20-32 of the 1962 Code, and acts amendatory thereto, so far as the same shall affect the pay-

ment of fifty cents on each marriage license fee by the Judge of Probate of Lee County unto the Treasurer of Lee County, are hereby repealed for this fiscal year only and the Probate Judge of Lee County is hereby authorized and directed to retain the full marriage license fee for each marriage license issued by him.

SECTION 15. Each magistrate is hereby required to account to and pay the county treasurer on or before the tenth day of each month for all fines and monies collected by him as magistrate during the preceding month and file a written report with the county board of commissioners, showing all criminal cases brought before him and their disposition, and no magistrate shall be paid his monthly salary until such monthly accounting and report is made.

SECTION 16. The sheriff shall have full supervision of the county jail and there shall be paid out of the funds appropriated for dieting jail prisoners, upon itemized statements properly verified by seller and approved by the sheriff, the actual cost of food, fuel, water and lights necessary for the proper dieting of prisoners; *provided*, such food cost shall not exceed the sum of eighty cents per day for each prisoner confined in the jail, and the jailor shall file a monthly written report showing an itemized list of all prisoners confined in the jail and the exact number of days each prisoner spent in the jail that month, and the total maximum authorized cost based on the number of prisoner days at the rate of eighty cents per day. No bill in excess of such maximum authorized cost shall be paid except with the written approval of the Lee County Legislative Delegation.

SECTION 17. The county board of commissioners shall also pay out of funds appropriated the actual cost of all necessary clothing, fuel, bedding and other camp equipment, and the superintendent of roads shall have a trusty, or trusties, prepare and cook the food, keep the camp and stockade clean and well heated, and the bedding and clothing in good order.

SECTION 18. The county board of commissioners is hereby directed at least once each month to have a suitable detail of gang prisoners thoroughly clean the county courthouse and grounds and the Lee County Memorial Hospital Grounds.

SECTION 19. The amount herein appropriated shall be spent over the entire period of this act, as near equally per month as possible, and any officer or employee who shall contract for or spend in excess

of the appropriation for his department shall be subject to removal by the Governor, upon the written recommendation of the entire legislative delegation, and any such purchase or expenditure in excess of the sum so appropriated shall not be an obligation of Lee County and is null and void.

SECTION 20. The amounts listed herein for the payment of each of the clerks in the office of county commissioners, sheriff, auditor, probate judge, clerk of court, and treasurer are for the clerks of such offices, on March first, of this fiscal year; and in case a new clerk is placed in any of such offices, his or her salary shall be approved by the Lee County Legislative Delegation.

SECTION 21. The amounts herein listed for additional salary-County Agent, and additional salary-Assistant County Agent, are for the present County Agent and the present Assistant County Agent and in case a new person is placed in either position, the additional salary shall not be paid until and unless the salary be first approved by the Lee County Legislative Delegation.

SECTION 22. All taxes and indirect revenue collected for ordinary county purposes during the fiscal year 1963-1964, in excess of the amount necessary to pay appropriations for the fiscal year 1963-1964, shall be disbursed by the County Board of Commissioners of Lee County upon the written authorization of the Lee County Legislative Delegation, on county warrants, and the county treasurer is hereby authorized to honor such warrants and charge the same to ordinary county fund, and any balance remaining on hand on July 1, 1964, shall be used to meet appropriations for the fiscal year 1964-1965, and all taxes and indirect revenues collected for ordinary county purposes during the fiscal year 1964-1965, in excess of the amount necessary to pay appropriations for the fiscal year 1964-1965, shall be disbursed by the County Board of Commissioners of Lee County upon the written authorization of the Lee County Legislative Delegation, on county warrants, and the county treasurer is hereby authorized to honor such warrants and charge the same to ordinary county fund.

SECTION 23. Any and all unused balances in any and all accounts for the fiscal year 1963-1964 shall be automatically transferred to the contingent fund account for the fiscal year 1964-1965.

SECTION 24. The County Board of Commissioners of Lee County is hereby authorized to refinance any existing indebtedness of Lee

County evidenced by notes or bond issues, where a material saving in interest can be had, and any note or notes given for such purpose shall be executed by the chairman of the board and the Treasurer of Lee County, and when so executed shall be a first lien on all taxes levied or to be levied for the purpose of the original note or bond issue so refinanced.

SECTION 25. The County Board of Commissioners of Lee County is hereby authorized and directed to terminate, with or without notice, the appointment of any cotton weigher appointed by the board in the event such cotton weigher fails to properly perform his duties as determined by the Lee County Marketing Commission by majority vote.

SECTION 26. The County Board of Commissioners of Lee County is hereby authorized to use, as it deems necessary, general relief or general assistance funds for general relief of indigent citizens, but care shall be used that only absolute charity patients receive relief funds.

SECTION 27. The County Board of Commissioners of Lee County is hereby authorized and directed to allow the use, from month to month, of such portion of the unused open land on the county farm as the county board of commissioners may deem necessary for an airport at Bishopville, and such commission shall supervise the use of the airport and the construction of any hangar or hangars thereon.

SECTION 28. The Lee County Legislative Delegation is hereby authorized to have an audit made, covering the fiscal year 1963-1964, of any and all offices and departments of Lee County and shall pay for same out of the County Contingent Fund.

SECTION 29. Every county officer and employee is prohibited from making any purchase for Lee County from any officer or employee of Lee County, and no purchase so made shall be an obligation of Lee County, and no county officer or employee shall use any county property for his own use, but only for necessary official use.

SECTION 30. The county treasurer is directed, upon the written authorization of the Lee County Legislative Delegation, to set aside and transfer as much of the county surplus funds as in the opinion of the Lee County Legislative Delegation may be proper for the construction of any public improvements designated by the delegation, and as much of such surplus funds as in the opinion of the Lee County Legislative Delegation, by written order, may be needed for ordinary county purposes.

SECTION 31. The various officers and employees of the county are hereby directed to file with the Chairman of the Lee County Legislative Delegation and the Chairman of the County Board of Commissioners of Lee County duplicate quarterly reports showing the status of such office or department and such other information as the county board or the Lee County Legislative Delegation may request. If any officer or employee fails to file such quarterly report within fifteen days after the end of each quarter, the county board of commissioners is hereby directed to withhold payment of salary of such officer or employee until such officer or employee files such quarterly report, as provided herein.

SECTION 32. The words "Lee County Legislative Delegation", as used in this act, mean the Senator and the member of the House of Representatives from Lee County, unless the context clearly shows otherwise.

SECTION 33. No office equipment, furniture, fixtures, nor any machinery, tractors, road patrols, trucks, automobiles, or any other heavy machinery, shall be purchased out of county funds by any officer or employee of Lee County without the written approval of the Lee County Legislative Delegation.

SECTION 34. The Auditor of Lee County is hereby authorized and directed to levy and the Treasurer of Lee County is hereby authorized and directed to collect six mills additional upon all of the taxable property of Lee County, to assist in the operation of the Lee County Memorial Hospital. Such funds are to be credited to the Lee County Memorial Hospital account, and are to be transferred to the account of the Treasurer of Lee County Memorial Hospital Commission at the rate of two thousand two hundred and fifty dollars per month. Any funds in excess of the above amount may be transferred to the General Fund by written order of the Legislative Delegation.

SECTION 35. Every officer and employee of every board, commission or department of Lee County and its school system shall pay at the earliest possible date all past due taxes due Lee County, and the Sheriff of Lee County is hereby directed to mail to the Lee County Legislative Delegation and the County Board of Commissioners immediately after July 1, 1964, a statement of all past due taxes of every such officer or employee.

SECTION 36. The funds provided for uniforms for law enforcement officers shall be disbursed by the county treasurer only upon

properly receipted invoices showing that the individual policeman has actually purchased the equipment for which he is being reimbursed.

SECTION 37. This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R735, H2034)

No. 1299

An Act To Authorize The Board Of Trustees Of Lexington County School District No. 1 To Issue General Obligation Coupon Bonds Or Coupon Notes Of The District In The Sum Of Fifty Thousand Dollars, The Proceeds Of Which Shall Be Used For Certain Additions To The Pelion High School Plant At Pelion, And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lexington County School District 1 may issue bonds or notes.—On April 1, 1964, the Board of Trustees of Lexington County School District No. 1 is authorized to issue and sell general obligation coupon bonds or coupon notes of the district in the sum of fifty thousand dollars, the proceeds of which shall be used for certain additions to the Pelion High School Plant at Pelion.

SECTION 2. Schedule of payments.—The principal and interest on the bonds or notes shall be paid according to the following schedule:

DATE OF PAYMENTS	PRINCIPAL TO BE PAID
April 1, 1965	\$ 3,000.00
April 1, 1966	4,000.00
April 1, 1967	4,000.00
April 1, 1968	5,000.00
April 1, 1969	5,000.00
April 1, 1970	7,000.00
April 1, 1971	7,000.00
April 1, 1972	15,000.00

The auditor and treasurer of the county, respectively, shall levy and collect annually a tax upon all taxable property within the school district sufficient to pay the principal and interest as they become due.

SECTION 3. Denominations and interest.—The bonds or notes shall be issued in such denominations as are provided in the schedule of annual payments of principal in Section 2 of this act, and shall bear a rate of interest not to exceed three and one-half per cent per annum.

SECTION 4. Form and sale.—The bonds or notes shall be in such form as the trustees may determine and, together with the coupons, signed by a majority of the members of the board of trustees. They may be sold at public or private sale, with such advertisement as the board of trustees may determine.

SECTION 5. Proceeds.—The proceeds from the sale of the bonds or notes shall be deposited with the county treasurer to the credit of the school district and shall be disbursed by warrants drawn thereon for the purpose set out in Section 1.

SECTION 6. Payment.—For the payment of the bonds or notes and interest thereon, the full faith, credit and taxing power of Lexington County School District No. 1 are hereby irrevocably pledged.

SECTION 7. Exempt from taxes.—The bonds or notes and all interest to become due thereon shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1964.

(R752, H2058)

No. 1300

An Act To Authorize The Board Of Trustees Of Lexington County School District No. 2 To Borrow Not To Exceed One Hundred Thousand Dollars For School Building Construction, Site Development, And Renovation And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lexington County School District 2 may borrow money.—The Board of Trustees of Lexington County School District No. 2 may borrow, for the purpose of constructing and ren-

ovating school buildings and developing presently owned school sites, not exceeding one hundred thousand dollars at the lowest interest available for a period not to exceed five years. The amount borrowed shall be evidenced by notes to be executed by the chairman of the board. The notes shall mature according to a schedule judged by the board to be most advantageous to the school district.

SECTION 2. Payment.—If the notes are not paid by the board of trustees of the school district upon its maturity, then the Auditor of Lexington County shall levy and the treasurer shall collect a tax on all taxable property of the school district sufficient to retire the loan and interest due thereon and the entire proceeds of the levy shall be applied to the payment of the notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R869, H2246)

No. 1301

An Act To Authorize The Board Of Trustees Of Lexington County School District No. 5 To Borrow Not To Exceed Sixty Thousand Dollars For Certain School Purposes And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lexington County School District 5 may borrow money.—The Board of Trustees of Lexington County School District No. 5 may borrow not exceeding sixty thousand dollars at the lowest interest available, not to exceed the rate currently charged by the State Division of Sinking Funds and Property, for a period not to exceed five years. The proceeds of the loan shall be used only for the purpose of erecting two additional classrooms at the Richlex School, remodeling one classroom and constructing one classroom at Chapin, providing additional seating on the football field at Chapin,

and the purchase of other equipment that may be needed. The amount borrowed shall be evidenced by notes to be executed by the chairman of the board. The notes shall mature according to a schedule judged by the board to be most advantageous to the school district.

SECTION 2. Payment.—The Auditor of Lexington County shall levy and the treasurer shall collect a tax on all taxable property of the school district sufficient to retire the loan and interest due thereon and the entire proceeds of the levy shall be applied to the payment of the notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1964.

(R885, H2292)

No. 1302

An Act To Authorize The Board Of Trustees Of Lexington County School District No. 3 To Borrow Not To Exceed Thirty Thousand Dollars For Repairs And Renovations To The Batesburg-Leesville High School Buildings And To Provide For The Payment of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lexington County School District 3 may borrow money.—The Board of Trustees of Lexington County School District No. 3 may borrow, for repairs and renovations to the Batesburg-Leesville High School Buildings, not exceeding thirty thousand dollars at the lowest interest available, not to exceed four per cent per annum, for a period not to exceed fifteen years. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the board. The notes or notes shall mature according to a schedule judged by the board to be most advantageous to the school district.

SECTION 2. Payment.—If the note or notes are not paid by the board of trustees of the school district upon maturity then the Audi-

tors of Lexington and Saluda Counties shall levy and the treasurers shall collect a tax on all taxable property of the school district sufficient to retire the loan and interest due thereon and the entire proceeds of the levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R1057, S765)

No. 1303

An Act To Create The Board Of Trustees Of The Lexington County Hospital; To Provide For Terms Of Office Of Its Members; And To Define Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Board of trustees created for Lexington County Hospital.—There is hereby created the Board of Trustees of the Lexington County Hospital, hereafter called the board. The original board shall be composed of eleven members to be appointed by the Governor upon the recommendation of a majority of the Lexington County Legislative Delegation for terms of two years. Sixty days before the expiration of their terms, the original board members shall recommend to the Lexington County Legislative Delegation seven persons to succeed them; and they shall recommend one member at large and one member from each of the six magisterial districts of Lexington County. The Lexington County Legislative Delegation shall recommend the seven persons to the Governor who shall appoint them for terms as follows: Districts 1 and 2 for two years; Districts 3 and 4 for three years; and Districts 5 and 6 and the member at large for four years. Thereafter all members shall be appointed for terms of four years and until their successors are appointed and qualify. No member, after the original appointment, shall serve more than two consecutive terms. *Provided*, the membership at large shall

be rotated so that each district shall be served before any district shall have the member at large for a second term. Vacancies on the board shall be filled for the unexpired portion of the term in the manner of the original appointment.

The board shall elect from its membership a chairman, a vice chairman, and a secretary-treasurer. The term of each officer shall be for a period of one year and each officer shall be eligible to succeed himself. Any vacancy occurring before the expiration of a term shall be filled for the unexpired portion of the term only.

SECTION 2. Powers.—The board is authorized to:

- (1) Equip, operate and maintain the Lexington County Hospital;
- (2) Enter into and execute all necessary instruments and documents relative to employment of all personnel, construction of the hospital and renovation thereof, purchasing and leasing of equipment and supplies;
- (3) Purchase and lease real estate;
- (4) Do all other things necessary for the construction, equipping, operation and maintenance of a hospital in Lexington County.

All instruments and documents shall be executed by the chairman or vice chairman and secretary-treasurer.

SECTION 3. Approval of obligations.—No bonds or other obligations shall be issued or created by the board which cannot be paid or retired from the revenue of the hospital without the approval of a majority of the Lexington County Legislative Delegation.

SECTION 4. Request of funds.—Funds to operate and maintain the Lexington County Hospital over and above the revenue derived from the operation of the hospital shall be requested in writing from the Lexington County Legislative Delegation.

SECTION 5. Budget.—The board shall submit a budget to the Lexington County Legislative Delegation on or before January first of each year.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1122, H2254)

No. 1304

An Act To Create Six Mile Creek Public Sewer District In Lexington County; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provision For The Borrowings By The District, Including The Issuance Of Not Exceeding Three Million Dollars Of General Obligation Bonds Of The District; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed By The District; And To Make Provision For Their Payment And To Provide For The Sale Of Sewer Lines To Municipalities.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly has made the following findings of fact:

(1) That the area herein defined, which is located in close proximity to the Cities of Cayce and West Columbia in Lexington County, has become thickly populated to an extent that extensive sewage disposal facilities are necessary. Studies have been made to determine means whereby such facilities can be acquired. Such studies indicate that in order to insure the public health of those living within the area and adjacent thereto, it is necessary to eliminate a large number of septic tanks which constitute a menace to health, and that sewage be collected and disposed of in a manner comparable to that employed by larger municipal corporations, and other thickly settled areas. Such facilities will involve a substantial expenditure, and on that basis it has been recommended that a special purpose district be created and empowered to issue bonds.

(2) It is contemplated that such bonds will be general obligations, but that, if arrangements can be made, they be additionally secured by a pledge of the net revenues derived from the operation of the sewage disposal system. Most, if not all, of the buildings to be served by the contemplated sewer system are connected to waterworks systems owned by incorporated municipalities in Lexington County or private corporations.

(3) On the basis of the foregoing findings, the General Assembly, in order to preserve the public health of those living in the district, proposes to create Six Mile Creek Public Sewer District in Lexington County, to provide a governing body for such district, and to empower the governing body to function as provided by this act.

SECTION 2. Six Mile Creek Public Sewer District created in Lexington County—area.—There is hereby created and established in Lexington County a special purpose district to be known as “Six Mile Creek Public Sewer District”, which district shall be a public corporation of perpetual succession, and shall have the area and functions prescribed by this act and any subsequent act, amendatory thereof. The district shall include and be comprised of that area of Lexington County as follows:

Beginning at the intersection of Platt Springs Road and Ermine Road, running along Ermine Road in a northerly direction to the centerline of Southern Railway, thence turning and running in a westerly direction along such centerline to the point opposite where Jessamine Road intersects U. S. Highway No. 1, thence in a northerly direction to such intersection and thence running in a northerly direction along Jessamine Road to Mineral Spring Road, thence turning and running in an easterly direction along Mineral Spring Road to Leaphart Road, thence turning and running in a southeasterly direction along Leaphart Road to U. S. Highway No. 1, thence turning and running in a westerly direction along U. S. Highway No. 1, thence turning and running in a southerly direction in a straight line along Lesley Drive and the line extending to a point where it intersects the right-of-way of the Southern Railroad and thence turning and running in an easterly direction along the right-of-way, thence turning and running in a southerly direction along Railroad Street to Roosevelt Street, thence turning and running along Roosevelt Street in a southerly direction to Platt Springs Road, thence turning and running in a westerly direction along Platt Springs Road to Decatur Street, thence turning and running in a southerly direction along Decatur Street to Dale Lane, thence turning and running in a southerly direction along Dale Lane to U. S. Highway No. 215, thence turning and running in a southwesterly direction along U. S. Highway No. 215 to Boston Avenue, thence turning and running in a northerly direction along Boston Avenue to Kittyhawk Drive, thence turning and running in a northerly direction along Kittyhawk Drive to Lown Street, thence turning and running in a westerly direction along Lown Street to Platt Springs Road, thence turning and running in a westerly direction along Platt Springs Road to Ermine Road, the point of beginning.

As soon as convenient, and prior to the occasion set for the holding of the special election herein authorized, a plat of the district shall be prepared and copies thereof shall be filed in the offices of the Auditor, the Treasurer and the Clerk of Court for Lexington County.

SECTION 3. To be governed by a commission.—Such district shall be operated, managed and governed by a commission to be known as “Six Mile Creek Public Sewer Service Commission”. The commission shall consist of five resident electors of the district who shall be appointed by the Governor upon the recommendation of a majority of the Legislative Delegation of Lexington County, including the Senator. The original appointments shall be for a term of two years for one appointee, for two years for the second appointee, for three years for the third appointee, for four years for the fourth appointee, and for five years for the fifth appointee, and in all cases those persons holding office shall continue to hold office until their successors have been appointed and have qualified. All of the original terms shall begin on the effective date of this act. Upon the termination of the term of office of any commissioner, a successor shall be appointed by the Governor, upon the recommendation of a majority of the Legislative Delegation of Lexington County, including the Senator, for terms of five years. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise shall be filled for the remainder of the unexpired term by appointment by the Governor, upon the recommendation of a majority of the Legislative Delegation of Lexington County, including the Senator.

SECTION 4. Powers and duties.—There is committed to the district the function of preserving the public health of the district through the means of providing for proper sewage disposal facilities, but additional functions may be committed to the district by subsequent legislation. The commission shall be empowered as follows:

1. To have perpetual succession.
2. To sue and be sued.
3. To adopt, use and alter a corporate seal.
4. To make bylaws for the management and regulations of its affairs, and to define a quorum for its meetings.
5. To deposit moneys derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities.

6. To prescribe regulations requiring persons who shall be residents of the district to make use of any sewage disposal facilities which the district shall place in operation, and to enable the commission to fully discharge the duties placed upon it and to protect all property acquired by it. Such regulations shall, however, become effective only after they have been adopted by resolution of the commission, and a certified copy thereof has been recorded in the office of the Clerk of Court for Lexington County, and additional copies have been posted in the Courthouse for Lexington County and in at least two public places in the district, and notice of the adoption of such regulations published at least once during each of three successive weeks, in a newspaper published in and having general circulation in Lexington County. Such notice shall specify, in brief, the scope of the regulations and shall state the date on which the same shall become effective. In addition to the procedure prescribed hereby for making effective regulations adopted by the commission, the commission shall, if it shall undertake to adopt a regulation requiring persons to connect to sewer facilities, conduct a public hearing prior to taking action thereon. Notice of such public meeting shall be published in a newspaper of general circulation in Lexington County not less than seven days prior to the occasion fixed for the holding of such meeting. Such notice shall state the time and place of the meeting, and shall briefly indicate the scope of the proposed regulation. At such public meeting all persons affected by the proposed regulation shall be entitled to appear and be heard. If following such a meeting a regulation prescribing compulsory use of sewage disposal facilities shall be adopted, notice of the adoption of the regulation shall be given in the manner previously prescribed for giving notice of all other regulations adopted by the commission. The authorization to adopt regulations prescribing compulsory use of sewage disposal facilities is enacted in the interest of the health of the district, and the commission is expressly authorized to apply to any court of general jurisdiction for the enforcement of such regulations through the means of mandatory injunctions and other remedial proceedings, and such courts are specifically empowered to render mandatory injunctions and such other remedial orders as shall appear to such courts to be just and reasonable.

7. To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

8. To build, acquire, construct, operate and maintain such sewage facilities as shall, in the opinion of the commission, be necessary for the district and economically practicable.

9. To enter into contracts with the governing agencies of municipal corporations and private corporations in Lexington County operating waterworks systems, or some or any of such municipal corporations and private corporations, on terms and conditions to be mutually agreed upon, by which the commission shall constitute such governing agencies of such municipal and private corporations as the agent of the commission for the purpose of collecting, within the area served by the municipal corporation or private corporation concerned, such charges as the commission shall from time to time impose upon those who utilize its sewage disposal facilities, and to empower such municipal agencies or private corporations as the agent of the commission for the purpose of disconnecting services upon the failure of any user to pay such sewage disposal charges.

10. To enter into contracts or agreement with other persons, firms, private corporations, municipal corporations, or other governmental agencies or subdivisions for the joint construction, acquisition, use, operation, and maintenance of sewage outfalls, lines, and other facilities necessary or desirable for the operation of the sewage disposal system of the district, whenever in the discretion of the commission such joint or cooperative action shall be in the interest of the district.

11. To impose such schedule of fees, rates and charges for sewer connection and for sewage disposal service as the commission shall from time to time approve. To that end the commission shall be empowered to place into effect, and to revise whenever it so wishes or may be so required, a schedule of fees, rates and charges for the sewage disposal facilities made available by it to persons, firms or corporations within the district. Prior to the making of any sewer connection or the furnishing of any sewage disposal service for which the prescribed fee, rate or charge shall, pursuant to Section 9 of this act, become a lien on the property affected, and prior to any subsequent increase in any such fee, rate, or charge, not less than ten days' written notice shall be given to each affected property owner, notifying him of the nature and quantum of the charge, and providing such property owner an opportunity, if desired and requested, to appear and be heard in person, or by counsel, before the commission. Following such hearing, if such be requested and

held, action shall be taken by the commission, and notice of its decision shall be given to the property owner concerned, or his counsel, as the case may be, not less than ten days prior to the effective date of the fee, rate or charge. Any property owner aggrieved by the action of the commission may proceed by certiorari in the Court of Common Pleas for Lexington County to have such court review the action taken by the commission, at which time the court shall determine the validity and reasonableness of the charge so made.

12. To make use of city streets and county and State highway rights of way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve.

13. To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Article 2, Chapter 3, Title 33, of the 1962 Code, or by the following of the procedure for the exercise of eminent domain prescribed by Chapter 3, Title 25, of the 1962 Code, as such statutes are now constituted or as they may afterwards be constituted following any amendments thereto.

14. To appoint officers, agents, employees and servants, prescribe the duties of such, fix their compensation, and determine if and to what extent they shall be bonded for the faithful performance of their duties.

15. To make contracts for construction, engineering and other services, without or with competitive bidding.

16. To raise funds for corporate purposes of the district by causing the levy of a tax therefor. The commission shall notify the auditor and treasurer of any desired tax, whereupon they shall assess and collect the tax as requested and the treasurer shall hold the funds and disburse them as directed by the commission. All such taxes shall constitute a lien upon the property against which the same are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the nonpayment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes shall apply to taxes levied pursuant to this act.

17. To do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

SECTION 5. May issue bonds.—As one method of raising money to obtain the sewage disposal facilities required for the district, the commission, on behalf of the district shall be empowered to issue not exceeding three million dollars of general obligation bonds of the district, whose proceeds shall be used for such purposes, including the payment of such interest on the bonds as may be capitalized. General obligation bonds shall be issued only in the event the election required by Section 6 shall result favorably. All or any general obligation bonds issued pursuant to this paragraph may be additionally secured by a pledge of the net revenues to be derived from the operation of the sewage disposal system to such extent as the commission shall determine to pledge the same, it being specifically recognized that the commission may thereafter wish to provide for further obligations of the district, secured by a pledge on a parity with the pledge herein required. The words “net revenues” as used in this paragraph shall mean that sum remaining from the aggregate of all moneys realized by the district from rates and charges imposed and collected for sewage disposal services, after paying the cost of operation and maintenance of the sewage disposal facilities. If, pursuant to this paragraph, general obligation bonds are issued:

(a) They shall be issued as a single issue or, from time to time, as several separate issues. They shall bear such date as the commission shall determine, and the bonds of any issue shall mature in such equal or unequal annual installments as may be determined by the commission. They shall be made payable at such place as the commission shall prescribe, and shall bear interest at such rate, payable in such manner as the commission may determine. The bonds may be registered, with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Lexington County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity on such terms and conditions, and with such redemption premium, as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of such bonds, shall be published in a newspaper of general circulation in the State of South Carolina. In offering the

bonds for sale, the commission may reserve the right to reject any and all bids; and if all bids shall be rejected, the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of 1952.

(d) Such bonds shall be executed in such manner as may be prescribed by the commission. *Provided*, however, that neither the members of the commission, nor any person signing the obligations shall be personally liable thereon.

(e) There shall be irrevocably pledged for the payment of the bonds and interest thereon, as the same mature, the full faith, credit and resources of the district, and the Auditor and Treasurer of Lexington County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay the bonds and interest thereon as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities. The bonds may be additionally secured by such pledge of the net revenues which the district may derive from the operation of the sewage disposal system as the commission shall provide. In such event, such net revenues as shall be available shall be delivered to the Treasurer of Lexington County prior to the occasion when the auditor fixes the annual levy. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of net revenues as aforesaid actually in the hands of the Treasurer of Lexington County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such moneys on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

(f) The pledge of net revenues authorized by subparagraph (e) of this paragraph need not, in the discretion of the commission, be exclusive, and the commission may reserve the right to issue further bonds, payable in whole or in part, from such net revenues, on a parity with the bonds authorized by this paragraph under such conditions as the commission may prescribe.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of Lexington County in a separate and special fund, and shall be expended upon the warrants or orders of the commission for the purposes specified herein, and no others,

except that any premium received shall be deposited with the Treasurer of Lexington County and by him applied to the first instalment of principal becoming due on the bonds, and any accrued interest received shall be applied by the Treasurer of Lexington County to the first installment of interest becoming due on the bonds. Neither the purchasers of the bonds nor any subsequent holders thereof shall be responsible for the proper application of the proceeds of sale.

SECTION 6. Bond issue election.—The commission is empowered to make provision for the holding of a special election in the district, on a date to be fixed by the commission, at which time there shall be submitted to the qualified electors of the district the question of issuing general obligation bonds of the district for the purposes of Section 4 of this act. The election shall be conducted by the Commissioners of Election for Lexington County, who shall give notice thereof by publication once each week for three successive weeks prior thereto, in one or more newspapers with general circulation in the district, stating the question to be submitted at the election, and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted in each of the several precincts of the district as the same are now established by law, and at the regular voting place therein, if such be within the district; otherwise, the commissioners of election shall designate a suitable voting place within such precinct. The question submitted shall be substantially in the following form:

“Shall the Six Mile Creek Public Sewer District issue general obligation bonds in a sum not exceeding three million dollars, whose proceeds shall be used for sewage disposal facilities for the district?

YES

NO”

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds he shall erase or strike through the word “NO”, and that if he is opposed to the issuance of bonds, he shall erase or strike through the word “YES”. The managers of election at each precinct shall count the ballots and forthwith return the result of the election, together with the original ballots and tally sheets, to the Commissioners of Election for Lexington County, who shall declare the result of the election. If the commissioners of election determine that a majority of the voters voting in the election voted in favor of the issuance of bonds, the bonds, or any part thereof, may be issued as provided in Section 5, supra, of this act. Save and

except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law.

SECTION 7. Borrowing of money.—In order to provide further methods by which the district may from time to time raise money, the commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness, payable solely from all or any part of the revenues derived from the operation of the sewage disposal system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of such system, or such sum as may be needed to pay the cost of any extension, addition and improvement to such system. If this authorization be availed of, then, under such circumstances, neither the faith and credit of the State of South Carolina, nor of Lexington County, nor of the district, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money pursuant to this section may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Article 6, Chapter 3, Title 59, and by Chapter 6, Title 59 of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendment and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the powers conferred upon the district by such Code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the district may:

(1) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its sewage disposal system as such net revenues may be defined by the commission.

(2) Covenant and agree that upon its being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event, the principal of

all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(3) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the sewage disposal system, whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness.

(4) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve.

(5) Make such provisions for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve.

(6) Covenant and agree that the payments into any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in fixed amounts.

(7) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation or any subdivision or division of the State.

(8) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(9) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

SECTION 8. Municipality to consent to facilities.—Prior to the installation of any sewage disposal facilities in any incorporated municipality within the district, the governing body of such municipality shall consent to the use of the streets and public ways therein for such installations.

SECTION 9. Collection of unpaid fees.—If the notice prescribed by paragraph 11 of Section 4 shall have been given and any hearing requested pursuant thereto shall have been held, all tapping fees, service charges, and other charges duly imposed by the commission under authority of this act and not paid when due and payable, shall be and constitute a lien upon the real estate to which the sewage serv-

ice concerned relates, so long as the fees or charges remain unpaid. In addition to such other rights and remedies as may be available to the commission in law or equity for collection of the fees and charges, the lien may be enforced by the commission in the same manner and fashion as the lien of property taxes upon real estate.

SECTION 10. Municipality may purchase lines in annexed areas.—In the event any municipality annexes any area within the sewer district which has sewer lines belonging to the district, the municipality shall have the right to purchase the lines in the annexed area at a price based upon cost which shall be ascertained as follows: The Six Mile Creek Public Sewer Service Commission shall name an arbitrator, and the municipality shall name an arbitrator, these two arbitrators shall name a third arbitrator who does not reside in either district or in the municipality. A majority of the three arbitrators shall ascertain the price to be paid for the sewer lines which shall be paid to the commission, to be held by it for the retirement of any outstanding general obligation bonds. After the purchase of the lines, the property owners being serviced by the lines shall be exempt from all obligations to the sewer district.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1320, H2500)

No. 1305

An Act To Provide For A Referendum To Determine The Wishes Of The Qualified Electors Of Lexington County As To Whether Or Not The Lexington County Hospital Should Be Built At A Cost Of One Million Two Hundred Fifty Thousand Dollars To Be Financed By The Issuance Of General Obligation Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Referendum in Lexington County concerning bond issue to construct hospital.—The Lexington County Commissioners of Election shall conduct a referendum on June 9, 1964 to ascertain the wishes of the qualified electors of the county on the question of whether or not they favor the construction of the Lexington County

Hospital at a cost of one million two hundred fifty thousand dollars to be financed by the issuance of general obligation bonds. The commissioners of election shall publish the information relating to the referendum once a week for two consecutive weeks in a newspaper having general circulation in the county.

SECTION 2. Conduct of election.—The commissioners of election shall have printed a sufficient number of ballots and have them distributed at the voting places. The ballots shall read as follows: "Do you favor the construction of the Lexington County Hospital at a cost of one million two hundred fifty thousand dollars to be financed by the issuance of general obligation bonds?"

In favor of ☐

Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words 'In favor of', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to'."

All costs of the election shall be paid from the general fund of the county.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1341, H2639)

No. 1306

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Lexington County For The Fiscal Year Beginning July 1, 1964, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied from July 1, 1964 through June 30, 1965, a tax of seven mills, or an additional amount if necessary, on all taxable property in Lexington County for county purposes which, together with all further sums available for such purposes, shall be used for the payment of the items hereinafter set forth; *provided*, that all salaries herein appropriated shall be paid in monthly installments, with the exception of the Welfare Board,

and the total of such items, other than salaries, shall be expended only as so much be necessary.

Item 1. Administrative Department:

A. County Auditor:

1. County Auditor (county's part) salary	\$ 3,008.72
2. Deputy Clerk to County Auditor	4,168.45
3. First Clerk to County Auditor	3,391.63
4. Second Clerk to County Auditor	3,049.20
5. Third Clerk to County Auditor	2,761.00
6. Fourth Clerk to County Auditor	2,541.00
7. Travel, County Auditor	600.00

Provided, that the Auditor go to each town in the county for the purpose of taking tax assessments.

B. Clerk of Court:

1. Clerk of Court, salary	7,049.12
2. Deputy Clerk of Court	4,473.32
3. First Clerk to Clerk of Court	3,300.00
4. Second Clerk to Clerk of Court	2,761.00
5. Third Clerk to Clerk of Court	2,651.00
6. Fourth Clerk to Clerk of Court	2,541.00
7. Part-time clerical assistance	2,000.00

Provided, that the balance remaining in Item 7 from prior appropriations shall be carried forward to the 1964-65 fiscal year and that that balance, plus the amount herein provided, shall be used for part-time clerical assistance.

C. County Treasurer:

1. County Treasurer (county's part) salary	3,008.72
2. Deputy County Treasurer	4,168.45
3. First Clerk to County Treasurer (tax)	3,521.10
4. Second Clerk to County Treasurer (fee)	3,521.10
5. Part-time clerical assistance	2,400.00

D. Board of Commissioners:

1. Commissioners' salaries, four at \$1,485.00	5,940.00
2. Clerk to County Commissioners, salary	4,696.23
3. Assistant Clerk to County Commissioners	2,783.00
4. Travel, County Commissioners, three at \$1,400.00, Chairman at \$1,700.00	5,900.00

Item 2. Judicial Department:

- A. Jurors, witnesses and bailiffs\$ 18,000.00
Provided, that all court attaches, petit jurors and jurors of the court of general sessions and the court of common pleas shall be paid at the rate of seven dollars per diem, *provided*, further, that the court crier and chief bailiff shall be paid at the rate of eleven dollars per diem. *Provided*, further, that all jurors shall be paid mileage at the rate of five cents per mile per day in traveling to and from court.
- B. Probate Court:
1. Probate Judge, salary 7,049.12
 2. First Clerk to Probate Judge 3,391.63
 3. Second Clerk to Probate Judge 2,761.00
- Provided*, that the salary of the Probate Judge shall be in lieu of all fees, which fees shall be paid to the general fund of the county.
- C. Juvenile-Domestic Relations Court:
1. Judge's salary 8,297.42
 2. Probation Officer 5,040.00
 3. Clerk-Stenographer 3,617.90
 4. Clerk 2,510.00
 5. Travel for probation officer 1,200.00
- D. Salaries of Magistrates:
- District No. 1 3,509.00
 - District No. 2 3,146.00
 - District No. 3 3,146.00
 - District No. 4 3,146.00
 - District No. 5 3,146.00
 - District No. 6 3,146.00
- Provided*, that during the week days, each magistrate shall have regular office hours of a minimum of two hours per day and shall give public notice of such hours.
- E. Salaries of Magistrates' Constables:
- District No. 1 3,949.44
 - District No. 2, Salary\$3,949.44,
Travel 800.00 4,749.44

District No. 3	3,949.44
District No. 4	3,949.44
District No. 5, Salary	\$3,949.44,
Travel	800.00
District No. 6, Salary	\$3,949.44
Travel	800.00

Provided, that the Constable of Districts 2, 5 and 6 shall be employed full time and be equipped with a car radio and shall police and patrol the districts under the direction and control of the Sheriff's office when not otherwise engaged in official business attendant to the office of Magistrate.

Provided, further, that all Magistrates' Constables, to be qualified to receive the salaries herein set forth, shall be qualified graduates of the South Carolina Law Enforcement Division School for Officers and all Constables subsequently appointed must within one year after their appointment become graduates of the school for officers.

F. Coroner:

1. Coroner's salary	2,500.00
2. Coroner's travel	800.00

Provided, that all death certificates be signed by a competent medical doctor, after said doctor has examined the body of the deceased, for which services said doctor shall receive a fee of \$25.00. This only applies to instances where the Coroner is called to investigate a death.

3. Post Mortems, Inquests	1,200.00
4. Medical Services	2,000.00
5. Lunacy	400.00

Item 3. Law Enforcement:

A. Office of Sheriff:

1. Salary	\$ 7,049.12
2. Travel Expense	1,200.00

B. Deputy Sheriffs:

1. Salary of Deputy Sheriffs, eight at \$4,572.65 each per annum and one chief deputy @ \$4,823.28	41,404.48
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2. Travel expense, nine at \$1,200.00 per annum ..	10,800.00
3. (a) Purchase of Gasoline and Oil	12,000.00
(b) Service of Radio Agreement	2,000.00
(c) Repairs to Radio	1,000.00
4. Uniforms for Deputy Sheriffs	1,500.00

Provided, that the chief deputy so designated by the Sheriff shall have full authority to act for and in behalf of the Sheriff in the absence of the Sheriff.

Provided, further, that sums herein appropriated for travel expenses for the Sheriff and his Deputies shall be the only sum paid to the Sheriff and his Deputies for travel expenses in criminal matters and they shall not receive extra pay for the transferring or transporting of prisoners and insane persons, the same being in the regular line of duty.

Provided, further, to be eligible to receive the salaries herein provided all Deputy Sheriffs must within one year after his or their appointment be graduated from the Law Enforcement School for Officers.

C. Jail:

1. Jail Expenses	15,000.00
2. Jailor	2,848.34
3. Jailor	2,848.34
4. Jailor	2,848.34

D. Office of Tax Collector:

1. Salary of Deputy Tax Collector	3,391.63
2. Clerk to Tax Collector	2,541.00

Item 4. Public Works, Roads and Bridges:

A. District salaries of employees and maintenance expenses:

District No. 1	\$ 51,500.00
District No. 2	49,000.00
District No. 3	49,000.00
District No. 4	29,000.00

B. Depreciation reserve for purchase of new machinery

65,000.00

Provided, that Item A shall be expended only upon approval of a majority of the Board of Commissioners.

Provided, further, that Item B shall be expended only for needed machinery and only upon approval in writing of a majority of the County Board of Commissioners in meeting assembled and any balance remaining shall be carried forward to the next fiscal year.

Provided, further, the Board of Commissioners shall be responsible for furnishing labor for janitorial services for the County Courthouse and Memorial Office Building.

Provided, further, that the Commissioners shall not expend or obligate to expend more than one-half of the amounts herein appropriated prior to January 1, 1965.

Item 5. Social Welfare:

- A. Supplemental salary for members of Lexington County Public Welfare Board to be paid semi-annually\$ 798.60

Provided, that the members of the board shall be paid semiannually.

- B. Approved emergency and charity relief 38,000.00

Provided, that claims for the care of medically indigent persons by eleemosynary institutions shall be equitably discharged from the amount above appropriated.

- C. Payment on Rest Home @ \$1,000.00 per month 12,000.00

Provided, however, that an additional amount equal to \$53,000.00 plus interest is hereby appropriated for payment for outstanding balance in full on new building at Rest Home.

- D. Lexington County Health Department 43,387.20

Item 6. Courthouse and Offices:

- A. Insurance\$ 3,000.00

- B. Telephone 7,500.00

- C. Water, Lights and fuel 13,200.00

D. Maintenance Engineer and Purchasing Agent ..	5,040.00
1. Clerk to Purchasing Agent and Delegation	2,640.00
2. Cleaning and Toilet Supplies	5,500.00
3. Buildings:	
(a) Permanent Improvements	4,000.00
(b) Repairs and Maintenance	3,000.00
(c) Pre-maintenance expenses Memorial Building	504.00
4. Equipment Repairs and Maintenance	1,000.00
5. New Equipment (Office)	4,500.00
(a) Machine Service Contracts	1,800.00
E. Premium on Bonds for county officials	1,500.00
F. Workmen's Compensation Insurance (not to be spent if paid for by State)	3,100.00
G. Printing, stamps and stationery for county offices	25,000.00
H. Janitor of County Buildings (Health Centers) .	2,451.46
1. Travel to health centers, to be paid monthly ..	480.00
I. Board of Equalization	3,600.00
<i>Provided</i> , that this shall be expended only upon approval of a majority of the legislative delegation.	
J. Board of Registration	2,640.00
<i>Provided</i> , that not more than one-fourth of the amount appropriated shall be expended without approval of a majority of the legislative delegation.	
K. Supplemental salary to County Agent	396.00
1. Salary to Assistant County Agent	330.00
2. Clerk to County Agent supplement	660.00
L. Supplemental salary to Home Demonstration Agent	396.00
1. Clerk to Demonstration Agent supplement	660.00
M. Secretary to County Service Officer	3,003.22
N. Travel for Service Officer and Civil Defense Work	1,200.00
Item 7. County Board of Education:	
There shall be paid through the office of the County Superintendent of Education the following:	

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|--|-------------|
| A. Salary and travel for County Board of Education | \$ 1,000.00 |
| B. Supplement salary, Superintendent of Education | 2,044.04 |
| 1. Travel for Superintendent of Education | 200.00 |
| C. Clerk to Superintendent of Education | 3,960.44 |
| 1. Second Clerk to Superintendent of Education .. | 2,541.00 |
| D. Supplement salary and travel, attendance teacher
<i>Provided</i> , however, that the attendance teacher
shall work under the supervision and direction
of the Juvenile and Domestic Relations Court. | 1,235.85 |
| E. Supplement School Lunch Fund | 1,480.00 |
| F. Circulating Library Fund | 40,552.00 |
| G. Publication of county educational directory | 700.00 |
| <i>Provided</i> , that the funds appropriated under
Item 7 shall be approved and disbursed by the
County Board of Education.
<i>Provided</i> , further, that any balance remaining in
Item 7, Section E, from prior appropriations
shall be carried forward to the 1964-65 fiscal
year and that that balance shall be added to the
appropriation herein made and disbursed ac-
cordingly. | |
| Item 8. County Attorney | \$ 1,684.32 |
| <i>Provided</i> , that the county attorney shall be
elected by a majority vote of the County Board
of Commissioners of Lexington County and he
shall be paid a retainer's fee of one hundred
forty and 36/100 dollars per month out of the
above appropriation and by being so retained
he shall be available to any and all county of-
ficials at any time they need his legal advice.
<i>Provided</i> , however, for extra work done, such as
preparing pleadings, making appearances in
court and trying cases, he shall be paid additional
fees for such extra services in line with fees
charged by members of the Bar of Lexington
County for similar services. | |

Item 9. Miscellaneous:

A. Miscellaneous Contingent\$ 75,000.00

Provided, that any claims or items payable from the miscellaneous contingent fund herein appropriated shall be approved by a majority of the county legislative delegation, including the Senator, and upon such approval the Board of Commissioners and the clerk of the board are hereby authorized to issue vouchers for same; *provided*, however, that a sum not exceeding eight thousand dollars in the aggregate amount of the appropriation herein made may be expended upon the approval of a majority of the members of the Board of County Commissioners; *provided*, further, that from this amount may be paid the actual expenses incurred for the apprehension and return of escaped prisoners from Lexington County, or any other suspect of a criminal nature from without the boundaries of the State of South Carolina, which return has been approved by the Board of County Commissioners.

B. 4-H Boys' Club	150.00
C. 4-H Girls' Club	150.00
D. Future Farmers of America (White Chapter) .	250.00
E. Women's Home Demonstration Camp	75.00
F. Demonstration Supplies for Home Agent	100.00
G. Lexington County T. B. Association	1,000.00
H. Batesburg-Leesville National Guard Unit	800.00
I. West Columbia National Guard Unit	800.00
J. Lexington National Guard Unit	800.00
K. Lexington County Supervisors, Lexington Soil Conservation District, Lexington County	500.00
1. Soil and Water Conservation Assistance	1,200.00
L. West Columbia Rescue Squad	200.00
M. Swansea Rescue Squad	200.00
N. Leesville Rescue Squad	200.00
O. American Legion Junior Baseball Program	500.00
P. West Columbia-Cayce, Lexington and Bates- burg-Leesville Chamber of Commerce @ \$750.00 each	2,250.00

Q. Cooperative Breeders' Association	1,200.00
R. Hearing and Speech Clinic	1,000.00
Total	<u>\$867,327.13</u>

SECTION 2. All salaries as fixed in this act shall be in lieu of any and all fees, from any source for services performed during the hours the courthouse is open, and the acceptance of the same by any county official or employee while engaged in county business shall cause the salary of the county official or employee to be reduced accordingly; *provided*, however, that the magistrates and magistrates' constables shall have the right to charge the legal rate for their services in all civil matters and retain such fees, which charges shall be collected from the parties to the civil matters.

SECTION 3. Funds appropriated herein shall be expended according to the following provisions:

(a) That the legislative delegation shall have the authority to authorize an audit of Lexington County affairs when they deem advisable and that the county commissioners and the county treasurer shall pay for the same from any county ordinary fund on hand in an amount to be determined by those authorizing the audit.

(b) That the withholding tax and insurance premiums collected through the county commissioner's office, including county officials and employees, may be paid by the commissioners from ordinary County funds, provided this amount shall be equivalent to the withholding tax and insurance premiums deducted from the salary of each official and employee of the county.

(c) That the county commissioners are hereby required to keep a separate account covering the various items of the appropriations act and not to exceed in expenditure the amount herein provided for each item; and for any excess allowed or permitted, such officers shall be held liable on their official bond. It shall be unlawful for any county commissioner or commissioners or other officers of county government to purchase, bargain for, or contract for any materials or services which would create a deficit in any item or provisions hereof within the time covered by this act.

(d) The clerk of the county board of commissioners shall make quarterly statements of expenditures and balances of the different items and send a statement to each member of the board of commissioners and to each member of the legislative delegation.

(e) The county treasurer is hereby authorized and directed to publish in the county newspapers a statement reflecting the financial condition of Lexington County as of December 31, 1964 and June 30, 1965.

(f) The county treasurer and county board of commissioners are hereby authorized to borrow a sum of money not to exceed one hundred thousand dollars, if so much be necessary, to meet the appropriations herein made should such be necessary for lack of funds arising from revenue now in sight. The same shall be borrowed at the best obtainable rate and terms.

SECTION 4. All appropriations herein made are subject to the right and authority of the legislative delegation in the General Assembly to alter, increase, deduct therefrom, or transfer funds from one account to another at any time without notice when, in their judgment, such alterations, increases, deductions or transfers are necessary for the best interests of the county and to conform with the revenue expected during the life of this act. All funds provided for herein which are not expended by June 30, 1965, shall revert to the county ordinary account. *Provided*, that all active members of the National Guard Companies of West Columbia and Batesburg-Leesville and Lexington shall be exempt from payment of road tax in Lexington County during the fiscal year.

SECTION 5. All county public buildings shall be under the control and custody of the Lexington County Board of Commissioners. Salaries of all chaingang employees shall be under the control of the Lexington County Board of Commissioners.

SECTION 6. The Lexington County Board of Commissioners is hereby authorized and directed to pay out of the ordinary county funds of Lexington County a sufficient sum or sums to match other available funds for the retirement of all county officials or employees, as is now provided by law under the Retirement Act and the Social Security Act.

SECTION 7. All expenditures and transfers of funds by the county commissioners and the county treasurer, as heretofore authorized by the legislative delegation in the General Assembly from Lexington County, are hereby validated and approved for the past and present fiscal year.

SECTION 8. In the event of the death or resignation of any county official, or the death, resignation or discharge of any county employee,

the appropriations herein made to that particular county official as salary or to that particular county employee as salary, shall, immediately upon such death, resignation or discharge, be transferred to the miscellaneous contingent fund and a new salary schedule shall be provided from the miscellaneous contingent fund, not to exceed the amount herein appropriated for such official or salary of county employees, by a majority of the Lexington County Legislative Delegation.

SECTION 9. (a) There is hereby established in Lexington County the office of County Purchasing Agent who shall be responsible for the purchase of all items as needed and necessary for the operation of county business. All items purchased by funds appropriated hereunder shall first be requisitioned by the several departments from the County Purchasing Agent on the forms to be supplied to the several departments by the County Purchasing Agent.

(b) Purchases for all county agencies and subdivisions, except food for prisoners, shall be made through the county purchasing agent, which agent shall, where feasible, utilize the supplies available through the State purchasing agent on State bid prices.

(c) No expenditures in excess of one hundred dollars for the purchase of any equipment, materials or supplies shall be made, unless through regular contractual services, unless first let by sealed bid after advertisement in a county newspaper of general circulation (except parts needed for repairing equipment), and all things being equal, the purchase shall be made from the person, firm or corporation submitting the low bid. *Provided*, further, that all things being equal, all purchases for and in behalf of the county shall be made from Lexington County firms and businesses.

SECTION 10. The Juvenile and Domestic Relations Court of Lexington County shall charge three per cent of all monies collected and disbursed by the court to be accounted and deposited with the Lexington County Treasurer monthly.

SECTION 11. The Lexington County Auditor is authorized from year to year to assess the necessary millage on all taxable property in Lexington County for the purpose of establishing a note retirement account and that the millage so determined shall be set aside for retirement of note indebtedness of Lexington County, and the auditor shall reduce the millage as he deems necessary to meet the note indebtedness on an annual basis.

SECTION 12. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1133, H2623)

No. 1307

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes For McCormick County For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965, And Providing For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following appropriations are made for McCormick County for a period of one year, beginning July 1, 1964 and ending June 30, 1965.

Item A. For the construction and maintenance of county roads, bridges, dieting, clothing and maintenance of chain gang prisoners. Also salary for two overseers or guards	\$ 26,000.00
<i>Provided</i> , that the Supervisor or County Board of Commissioners shall employ no other help than provided for herein unless authorized by the county delegation.	
Office Clerk	2,600.00
Total Item A	\$ 28,600.00
Item B. Salaries :	
Clerk of Court	\$ 4,193.00
<i>Provided</i> , however, that the clerk of court shall comply with Act No. 770 passed by the Legislature of South Carolina in 1936 and carried in the Acts of 1936 at pages 1449 and 1450 before he shall be entitled to such salary.	
Clerk to Clerk of Court	2,600.00
Treasurer	890.00
Clerk to Treasurer	2,600.00
Auditor	890.00
Clerk to Auditor (12 mos.)	2,600.00

Coroner	420.00
County Physician	140.00
Janitor at courthouse	1,524.00
Two County Commissioners at \$420.00 each ...	840.00
Judge of Probate	2,100.00
County Attorney	420.00
Magistrate at McCormick	2,100.00
Magistrate at Willington	907.50
Magistrate at Parksville	907.50
Janitor, McCormick County Office Building ...	1,524.00
Sheriff, salary	4,240.00
Two deputy sheriffs salary each \$3,118.50	6,237.00
Two deputy sheriffs, expense fund \$797.00 each	1,594.00
Two deputy sheriffs, uniform allowance \$250.00 each	500.00
<i>Provided</i> , the amount to be paid in equal monthly payments without the necessity of itemizing the same.	
Night Jailer	2,520.00
<i>Provided</i> , that the sheriff or his deputies shall serve warrants for the county magistrates and one of the deputies, to be designated by the sher- iff, shall also serve as magistrates' constable.	
Travel expenses and maintenance of automobiles for sheriff's office, if so much be necessary	2,400.00
Supervisor, salary and traveling expenses for supervisor who shall furnish his own car, the amount to be paid in equal monthly payments without the necessity of itemizing same	4,282.00
Tax Collector	1,180.00
Tax Collector's expenses, who shall furnish his own car, to be paid in equal monthly payments	1,800.00
Total Item B	\$ 49,409.00

Item C. County:

County Board of Equalization	\$ 750.00
Vital Statistics	100.00
Total Item C	\$ 850.00

Item D. Jail Expenses:

To include only the dieting of prisoners at \$1.25 per day, electric current and repairs, if so much be necessary\$ 1,500.00
Provided, records of prisoners' entrance and release shall be kept and such records shall be subject to annual audit.

Total Item D\$ 1,500.00

Item E. Jurors and witnesses and court expenses:

Provided, that grand jurors and petit jurors shall be paid at the rate of ten dollars per day and mileage. *Provided*, further, that magistrates' and coroner's jurors shall be paid at the rate of two dollars and fifty cents per day upon the authorization of the magistrate or coroner\$ 4,000.00
Provided, further, the taking of testimony in magistrate's court and coroner's inquests shall be paid from this fund upon the authorization of the magistrate or coroner.

Total Item E\$ 4,000.00

Item F. Post mortems, inquests, autopsies and lunacies, if so much be necessary\$ 500.00

Total Item F\$ 500.00

Item G. Public buildings, including lights, fuel, water, telephones and other necessary supplies, other than constructing new or making repair of public buildings which shall be approved by the McCormick Building Commission, and cost shall be paid from such amount as the commission and county delegation shall designate\$ 9,000.00

Total Item G\$ 9,000.00

Item H. Printing, postage, stationery and office supplies . \$ 3,000.00

Total Item H\$ 3,000.00

Item I.	Annual audit to county books from June 30, 1963, to July 1, 1964, if so much be necessary ..	\$ 600.00
	Total Item I	\$ 600.00
Item J.	Premiums on officers' bonds and workmen's compensation premiums, when such premiums are certified to and in order, if so much be necessary	\$ 1,000.00
	Total Item J	\$ 1,000.00
Item K.	Miscellaneous Contingent Fund: To be expended only in case of emergency and only then upon the written approval of the legislative delegation	\$ 50,000.00
	Total Item K	\$ 50,000.00
Item L.	County Health Unit, if so much be necessary ..	\$ 3,000.00
	Total Item L	\$ 3,000.00
Item M.	Public Welfare	\$ 5,000.00
	<i>Provided</i> , such funds shall be kept separate to facilitate annual audit.	
	Total Item M	\$ 5,000.00
Item N.	Library Board	\$ 1,200.00
	<i>Provided</i> , that this sum shall be paid upon the authorization of the secretary-treasurer of the library board.	
	Total Item N	\$ 1,200.00
Item O.	Police Insurance	\$ 1,200.00
	Total Item O	\$ 1,200.00
Item P.	Retirement (County's part)	\$ 1,620.00
	Total Item P	\$ 1,620.00
Item Q.	Social Security (County's part)	\$ 2,000.00
	Total Item Q	\$ 2,000.00

Item R. National Guard	\$ 800.00
Total Item R	\$ 800.00
Item S. Soil Conservation	\$ 300.00
Total Item S	\$ 300.00
Item T. County Board of Education	\$ 2,000.00
Total Item T	\$ 2,000.00
Item U. County Service Officer Travel expense, to be paid monthly	\$ 360.00
Total Item U	\$ 360.00
Item V. Special Accounts:	
McCormick County Development Board	\$ 20,000.00
Farm Agent Account	50.00
Home Agent Account	50.00
Clerk to Home Agent Account	250.00
Custodian at County Office Building	435.60
McCormick County FFA Chapter	100.00
Mental Health Program	1,231.39
McCormick Fire Warden, expenses, to be paid monthly	240.00
Forestry Tractor Driver	488.10
Total Item V	\$ 22,845.09
GRAND TOTAL	\$188,784.09
Less revenue other than taxes:	
U. S. Forestry Service	\$ 35,000.00
Gas Tax	35,000.00
Other Revenues	100,000.00
Total Estimated Revenue	\$170,000.00
Amount to be raised by taxes	\$ 18,784.09

SECTION 1A. Should the estimated revenue be insufficient to meet the appropriations hereinabove made, the county treasurer shall

transfer from the general fund of the county a sufficient amount to take care of any deficit.

SECTION 2. The various sums herein appropriated shall be used only for the purpose for which they are specifically appropriated and for no other. *Provided*, that transfers from one appropriation to another may be made upon the written approval of the legislative delegation. It shall be unlawful for any officers of the county to exceed any appropriation or to contract any obligation of indebtedness in excess of any appropriation herein provided for, except upon the written authority of the Legislative Delegation of McCormick County; and obligations incurred without the written authority shall not be binding upon McCormick County. Any officer violating the provisions of this section may be removed from office by the Governor, upon the recommendation of the legislative delegation, and his bond shall be liable for any expenditure or any debt incurred in excess of such appropriation should it be determined that the county is liable therefor.

SECTION 3. The supervisor shall file an itemized statement of all expenditures for the previous month with the clerk of court and an itemized statement of all expenditures shall be published quarterly in the County Gazette, and the same shall become a public record. The county board of commissioners is hereby required to deliver to the county treasurer at the conclusion of the year 1964 an itemized sworn statement of all unexpended balances from the various items hereinabove appropriated, which statement shall be filed by the treasurer with the clerk of court and become a public record. The county supervisor is hereby required to keep a separate account of all funds expended from the various sums appropriated for county purposes and shall issue no warrant in excess of such appropriations. *Provided*, that the county commissioners shall have equal authority in county matters with the supervisor.

SECTION 4. The auditor and treasurer are hereby authorized and required to levy and collect a sufficient tax, as provided by law, to raise sufficient money to meet and pay the amount appropriated by law for McCormick County for the year 1964. No money shall be spent otherwise than herein specifically authorized and none of the items shall be enlarged upon or construed as suggestive or directory, but are mandatory.

SECTION 5. No money shall be borrowed by the county nor interest paid on same for longer periods than the collection of taxes

sufficient to pay the same makes it necessary, and no note in excess of the sum provided by law shall be made by the county commissioners except upon the written authority of the county legislative delegation, which shall be filed with the clerk of court.

SECTION 6. The McCormick County Legislative Delegation is hereby authorized and empowered to pay to the members of the forestry committee or any other members of a committee authorized by legislation, meeting during the year 1964, the sum of five dollars per day from the contingent fund under Item K. *Provided*, however, that none of the committee shall be paid for more than twelve meetings during the fiscal year 1964-1965.

SECTION 7. The County Board of Commissioners of McCormick County is hereby authorized and empowered to appoint a practicing attorney as county attorney who shall render legal advice to any county officer of McCormick County when so requested by such officer regarding official matters pertaining to any duty of any officer of McCormick County, or as to the law pertaining to any matter connected with the administration of such office.

SECTION 8. The County Board of Commissioners of McCormick County is hereby authorized and empowered to appoint a practicing physician whose duties shall be to look after the health conditions of the county and attend any prisoner, either on the chain gang or in the county jail, and make such recommendations as he might think proper for the safeguarding of the prisoners of the communities of the county.

SECTION 9. The McCormick County Legislative Delegation may, at any time, order the discontinuance and storage of any motor car or other equipment owned or hereafter to be owned by McCormick County. *Provided*, that no equipment owned by McCormick County shall be used for anything but county or public purposes.

SECTION 10. No property owned by McCormick County shall be sold, rented, or leased unless the approval of the legislative delegation shall be first secured.

SECTION 11. Unless otherwise specifically authorized herein, no bill or claim against McCormick County shall be approved or paid unless the same is fully itemized and states, under oath, what it is for, giving the kind and quality of thing or commodity it represents

and carries the same number as the county voucher, in addition to the amount and the time furnished, and no person shall make oath to such itemized statement or claim for any other person.

SECTION 12. All expenditures over two hundred dollars for supplies and materials shall be purchased on competitive bids.

SECTION 13. No officer of McCormick County shall charge or collect any money for an expense account except as herein provided.

SECTION 14. Any officer or employee of McCormick County who disregards the provisions of this act shall be guilty of misconduct in office and subject to removal in addition to the punishment now provided by law.

SECTION 15. The officials at the McCormick County Courthouse are hereby authorized to close their offices on one afternoon each week provided the majority of the merchants in the Town of McCormick close their place of business one afternoon each week, and the afternoons taken off by the courthouse officials shall be the same afternoon on which the business houses are closed. The officials of McCormick County are further authorized to close their offices on all legal State holidays and on Saturdays at one p. m.

SECTION 16. For the year 1964 the supervisor shall employ such help as necessary, other than that herein provided for, upon the written approval of the Legislative Delegation from McCormick County.

SECTION 17. Immediately upon receiving tax duplicates from the county auditor, the county treasurer shall cause to be mailed to each taxpayer listed thereon, whose post office address is available, a written or printed notice stating thereon the amount of taxes assessed against the taxpayer for the current year, with such other information as the county treasurer may deem desirable. This service to the taxpayer being gratuitous, no obligation shall rest upon the county or State, or county treasurer, for any failure or mistake on the part of the county treasurer in giving or failing to give the notice.

SECTION 18. From the county board of education fund herein appropriated, all members of the county board, except the superintendent of education, shall be paid five dollars per day for each day in attendance upon meetings of the county board and mileage from the homes of the members each way at the rate of seven cents per mile. *Provided,*

that the county board of education is hereby authorized to pay from this appropriation any clerical help or mileage necessary for the office of the superintendent of education as may be deemed necessary by the county board.

SECTION 19. Custodian of the McCormick County Office Building and grounds shall be designated by the McCormick County Legislative Delegation and shall approve all claims for expenses necessary for the operation of the county office building.

SECTION 20. The county auditor shall levy and the county treasurer shall collect a tax for the fiscal year 1964-1965 of twenty-three mills for school purposes. The board of trustees shall present to the county board of education a proposed budget for the fiscal year 1965-1966 on or before March 1, 1965 and by April 1, 1965, the county board of education shall approve, decrease or increase the budget as it may deem necessary. The board of trustees may, with the approval of the county board of education, spend such other necessary funds as are available for school purposes with the written approval of the county board of education.

SECTION 21. Any surplus funds of McCormick County may be invested by the county treasurer upon written approval of the county legislative delegation.

SECTION 22. The county supervisor is authorized and directed to demolish the old county jail and store such material as can be salvaged at the county camp.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1369, H2746)

No. 1308

An Act To Provide For A Committee In McCormick County To Study The Need For A Nursing Home.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Committee created to study need for nursing home.
—There is hereby established a committee of five members to be ap-

pointed by the McCormick Legislative Delegation to study the need for a nursing home in the county. The committee shall meet as soon after its appointment as is practicable and elect a chairman and such officers as it deems necessary. The committee shall study the nursing home requirements of the county and also the feasibility of establishing such a home for McCormick County. The committee shall report its findings and recommendations to the delegation as soon as practicable.

SECTION 2. Compensation.—The members of the committee shall receive no compensation.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R1174, H2656)

No. 1309

An Act To Authorize The Board Of Trustees Of Marion School District No. 1 Of Marion County To Issue General Obligation Bonds In An Amount Not Exceeding Six Hundred Thousand Dollars; To Prescribe The Conditions Under Which The Bonds May Be Issued, The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that there exists an immediate need for a new school building, additional classrooms and related facilities, and general repairs and improvements to existing facilities in the public school system operated by Marion School District No. 1 of Marion County, the school district, and has determined to permit the Board of Trustees of the School District, the board of trustees, to construct and equip the facilities with the proceeds of the bonds which are authorized by this act.

SECTION 2. Bond issue authorized.—To the extent that funds shall be available from the proceeds of the bonds authorized by this act and from any other sources, the board of trustees may construct

and equip a new school building, may construct and equip classrooms and related facilities, and may effect repairs and improvements to existing facilities of the public school system of the school district. The board is authorized to raise not exceeding six hundred thousand dollars for the aforesaid purposes and to that end may issue and sell general obligation bonds of the school district, without the necessity of holding an election, in the aggregate principal amount of not exceeding six hundred thousand dollars, if, on the occasion that bonds shall be issued, the applicable constitutional debt limit shall not be exceeded.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or installments as the board shall provide, except that the first maturing bonds shall mature within two years from the date of issue; not less than three percent of the bonds shall mature in each year; and no bonds shall mature later than twenty years from the date of issue.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Marion County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the board shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

SECTION 8. Execution.—The bonds and the coupons to be thereunto attached, shall be in such denomination and shall be executed in such manner as the board shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the school district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Marion County, and collected by the Treasurer of Marion County, in the same manner as county taxes are levied and collected, on all taxable property in the school district, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Marion County, to be deposited in a bond account fund for the school district, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the board, for the following purposes:

(i) To defray the costs of issuing the bonds authorized by this act;

(ii) To provide for additional public school facilities for the school district in the manner contemplated by Section 2 of this act.

(d) If, after the final completion of the board's program, the board shall certify to the Treasurer of Marion County that any

remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

SECTION 14. No further action required.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1179, H2665)

No. 1310

An Act To Authorize And Empower The Board Of Trustees Of Mullins School District No. 2 Of Marion County To Issue General Obligation Bonds In An Amount Not Exceeding One Hundred Twenty-Five Thousand Dollars; To Prescribe The Conditions Under Which The Bonds May Be Issued, The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that there exists an immediate need for additional classrooms and related facilities, and general repairs and improvements to existing facilities in the public school system operated by Mullins School District No. 2 of Marion County, the school district, and has determined to permit the Board of Trustees of the School District, the board of trustees, to construct and equip the facilities with the proceeds of the bonds which are authorized by this act.

SECTION 2. Bond, issue authorized.—To the extent that funds shall be available from the proceeds of the bonds authorized by this act, and from any other sources, the board of trustees may construct and equip additional classrooms and related facilities, and may effect repairs and improvements to existing facilities of the public school system of the school district. The board is authorized to raise not exceeding one hundred twenty five thousand dollars for the aforesaid purposes and to that end may issue and sell general obligation bonds of the school district in the aggregate principal amount of not exceeding one hundred twenty five thousand dollars, if, on the occasion that bonds shall be issued, the applicable constitutional debt limit shall not be exceeded.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or installments as the board shall provide, except that the first maturing bonds shall mature within two years from the date of issue; not less than three percent of the bonds shall mature in each year; and no bonds shall mature later than twenty years from the date of issue.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds; payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Marion County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the board shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

SECTION 8. Execution.—The bonds and the coupons to be thereunto attached, shall be in such denomination and shall be executed in such manner as the board shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the school district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Marion County and collected by the Treasurer of Marion County in the same manner as county taxes are levied and collected on all taxable property in the school district a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Marion County, to be deposited in a bond account fund for the school district, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the board, for the following purposes:

(1) To defray the cost of issuing the bonds authorized by this act; and

(2) To provide for additional public school facilities for the school district in the manner contemplated by Section 2 of this act.

(d) If, after the final completion of the board's program, the board shall certify to the Treasurer of Marion County that any remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding which shall have been issued pursuant to this act.

SECTION 13. Powers additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

SECTION 14. No further action required.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1380, H2591)

No. 1311

An Act To Make Appropriations For Ordinary County Purposes For Marion County For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965; To Provide For The Expenditure Thereof; To Authorize The Proper Officers Of The County To Borrow Money To Meet Such Appropriations, And To Provide For The Levy Of Such Taxes As May Be Necessary To Raise The Required Amount, Taking Into Account Other Revenues Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. After first deducting the estimated or anticipated revenues, a tax is hereby levied for the calendar year 1964 upon the taxable property of Marion County for county purposes, for the fiscal year beginning July 1, 1964, and ending June 30, 1965, in the amount and for the purposes hereinafter stated.

SECTION 2. The county auditor is hereby directed to make a calculation of the amount of levy that will be necessary to raise the sums appropriated in this act, first taking into account the probable income from all other sources; and he is authorized and directed to impose in due time such levy upon the property of the county as will raise the sums of money necessary under this act. *Provided*, that the levy shall be made only upon the written approval of a majority of the legislative delegation.

SECTION 3. The following amounts are hereby appropriated for the County of Marion for the fiscal year beginning July 1, 1964, and ending June 30, 1965, for the following purposes, and the salaries of the officers and employees are fixed as hereinafter stated:

Item 1. Salaries:

A. Clerk of Court	\$ 1,250.00
B. Sheriff	4,000.00
B-1. Four Deputy Sheriffs @ \$2,860.00 each	11,440.00
<i>Provided</i> , that the Sheriff may designate one of the Deputy Sheriffs as "Chief Deputy" to be left in charge in the absence or incapacity of the Sheriff, and the Chief Deputy shall draw an additional salary of	
	180.00
B-2. Investigating fund to be used by Marion County Sheriff	600.00
B-3. Travel and other expenses, Sheriff and four Deputies @ \$2,000.00 each	10,000.00
B-4. Gas and oil—Sheriff's office, \$205.00 per month .	2,460.00
<i>Provided</i> , that this sum shall be paid monthly to the Sheriff for division between his deputies and himself at the rate of \$41.00 per month for each deputy and himself for gas and oil.	
B-5. Steno-Clerk and radio dispatcher for Sheriff's office	2,400.00
<i>Provided</i> , however, that the steno-clerk and radio dispatcher herein provided for shall be required to take all the testimony at coroner's inquests as part of his or her regular duties and without additional compensation.	
C. Jailor	2,500.00
D. Magistrate at Marion	3,000.00
D-1. Rent—Magistrate at Marion	180.00

E. Magistrate at Mullins	3,000.00
F. Magistrate at Centenary-Rains	650.00
F-1. Magistrate's Constable at Centenary-Rains	1,850.00
G. Magistrate at Britton's Neck Township	650.00
G-1. Magistrate's Constable at Britton's Neck Town- ship	1,850.00
H. Magistrate at Nichols	650.00
H-1. Rent—Magistrate at Nichols	180.00
I. Treasurer	2,326.89
J. Assistant Treasurer	3,600.00
<i>Provided, that the Treasurer of Marion County is authorized to continue the employment of Mrs. Clara Allen regardless of retirement age.</i>	
K. Auditor	2,326.89
L. Deputy Auditor	3,600.00
M. Extra Clerical Help, Auditor & Treasurer	2,400.00
N. Coroner	1,000.00
N-1. Travel and other expenses—Coroner	700.00
O. Chairman of County Board of Commissioners .	7,500.00
P. Six County Commissioners @ \$400.00 each for travel and official expenses	2,400.00
Q. One Clerk to Commissioners	2,800.00
R. Tax Collector	1,200.00
S. Deputy Tax Collector	1,200.00
T. Clerk for Tax Collector and Deputy Tax Col- lector	2,400.00
U. Superintendent of Education	1,200.00
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Total, Item 1	\$ 81,493.78
Item 2. County Board:	
A. Board of Education—Seven members @ \$400.00 each for travel and official expenses	\$ 2,800.00
B. One Clerk to Superintendent of Education	2,400.00
C. Board of Equalization	2,500.00
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Total, Item 2	\$ 7,700.00
Item 3. Post Mortems and Lunacies	\$ 400.00
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Total, Item 3	\$ 400.00

Item 4. Welfare Department:

A. Emergency Relief	\$ 3,000.00
B. Charity Hospitalization	3,000.00
C. Chairman—Public Welfare Board	300.00
D. Pauper Funerals	1,200.00

Provided, that no funds shall be paid to any hospital outside of Marion County unless there is a reciprocal agreement with such outside county. *Provided*, further, no hospital shall be compensated at a higher rate than ten dollars per day from county funds.

Provided, further, that the Marion County Welfare Board shall make all necessary investigations. *Provided*, further, that no hospitalization shall be paid in excess of ten days from county funds and there shall not be expended on any one case a greater sum than one hundred dollars. *Provided*, further, that when funds under Item B are exhausted the Marion County Welfare Board shall not approve for charity hospitalization further disbursement until additional funds become available.

Total, Item 4\$ 7,500.00

Item 5. Jurors and Witnesses\$ 10,000.00

Provided, that witnesses shall receive two dollars per diem (jurors and court attaches shall receive per diem of six dollars).

Provided, further, that jurors in Magistrates' Courts in criminal cases and jurors in Coroner's Courts shall be paid two dollars per day upon warrants of the Magistrate, Coroner or Sheriff.

Total, Item 5\$ 10,000.00

Item 6. Public Buildings:

A. Public Buildings, including lights, water, grounds, office rent, etc.	\$ 14,000.00
B. Improvements for county buildings	15,000.00

Total, Item 6\$ 29,000.00

Item 7.	Vital Statistics—Travel and filing of certificates.	\$ 550.00
	Total, Item 7	\$ 550.00
Item 8.	Ordinary Contingent	\$ 45,000.00
	Total, Item 8	\$ 45,000.00
Item 9.	A. Roads, bridges, chain gang, maintenance, dieting, clothing, medical and medicine for prisoners on chain gang	\$ 30,000.00
	<i>Provided</i> , however, that the total amount of gasoline tax allocated to Marion County be put in this item.	
	B. Marion County Jail—water, lights, etc. for prisoners while in jail	6,500.00
	C. Workmen's Compensation Insurance Premium	2,000.00
	Total, Item 9	\$ 38,500.00
Item 10.	Salary for Clerk to Marion County Tuberculosis Association	\$ 1,900.00
	Total, Item 10	\$ 1,900.00
Item 11.	Health Department	\$ 10,661.00
	A. Transportation for Crippled Children	500.00
	B. Medicine for T. B. Patients	200.00
	Total, Item 11	\$ 11,361.00
Item 12.	Libraries:	
	A. Marion Library	\$ 1,750.00
	B. Mullins Library	1,750.00
	C. Nichols Library	750.00
	D. Traveling Library	1,500.00
	Total, Item 12	\$ 5,750.00
Item 13.	County Agent's Office:	
	A. County Agent	\$ 900.00
	A-1. Two Assistant County Agents @ \$300.00 each	600.00
	B. Clerk to County Agent	150.00
	C. Postage and Office Supplies	400.00
	Total, Item 13	\$ 2,050.00

Item 14. Home Demonstration Agent's Office:		
A. Clerk—Salary Supplement	\$	420.00
B. Supplies and Incidentals		200.00
C. Telephone		150.00
D. Home Demonstration Agent, Salary Supplement		240.00
E. Assistant Home Demonstration Agent, Salary Supplement		150.00
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Total, Item 14	\$	1,160.00
Item 15. Boys' and Girls' 4-H Club Work		
	\$	300.00
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Total, Item 15	\$	300.00
Item 16. Negro Agricultural and Home Demonstration Agents' Office:		
A. Rent, Fuel, Telephone and Other Supplies and Services	\$	750.00
B. Clerical Personnel		2,280.00
<i>Provided, that the County Agent and Home Demonstration Agent shall employ the clerk or clerks.</i>		
C. Home Demonstration Agent—Travel, \$570.00; Salary, \$570.00		1,140.00
D. Equipment, Demonstration Materials and Supplies and Activities		400.00
E. Boys' 4-H Club Work and Supplies		150.00
F. Girls' 4-H Club Work and Supplies		150.00
G. Negro Agricultural Agent—Salary Supplement		300.00
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Total, Item 16	\$	5,170.00
Item 17. Office of Judge of Probate		
	\$	2,400.00
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Total, Item 17	\$	2,400.00
Item 18. Marion Soil Conservation District		
	\$	900.00
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Total, Item 18	\$	900.00
Item 19. Marion County Planning and Development Board		
	\$	7,200.00
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Total, Item 19	\$	7,200.00

Item 20. Mental Health Center, Darlington-Florence-Marion	\$ 9,606.50
Total, Item 20	\$ 9,606.50
<i>Provided</i> , that no disbursement of this fund shall be made unless approved by the legislative delegation.	
Item 21. Civil Defense	\$ 2,600.00
Total, Item 21	\$ 2,600.00
Item 22. Miscellaneous:	
A. Marion Rural Fire Dept.	\$ 500.00
B. Mullins Rural Fire Dept.	500.00
C. Nichols Rural Fire Dept.	200.00
D. Marion National Guard	1,000.00
E. Mullins National Guard	1,000.00
F. Radio Repair for Radios and Insurance on Radios	700.00
G. Official Bond Premiums	800.00
H. Printing and Office Supplies, Stamps and Box Rent	6,000.00
I. Advertising—Tax Notices	700.00
J. Junior Homemakers Association	300.00
K. Marion Rescue Squad	1,000.00
L. Mullins Rescue Squad	1,000.00
M. Hospitalization Insurance for County Employees	900.00
N. Secretary to Circuit Judge	500.00
O. Salary and Equipment for Third Game Warden	2,000.00
P. Auditor's Tax Map and Survey of Nichols	1,250.00
Q. County Service Officer	900.00
R. Fish and Game Commission	300.00
Total, Item 22	\$ 19,550.00
GRAND TOTAL	\$290,091.28
Less Estimated Revenues:	
Magistrates' Fines	\$ 30,000.00
Alcoholic Tax	21,000.00
Gas Tax	67,000.00

Beer and Wine Tax	8,000.00
Fines and Forfeitures	10,000.00
Insurance Licenses	11,000.00
Bank Tax	5,000.00
Income Tax	31,000.00
Interest	1,400.00
Miscellaneous Revenue	7,500.00

TOTAL	\$191,900.00
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AMOUNT TO BE RAISED BY
TAXATION\$ 98,191.28

SECTION 4. The board of county commissioners is hereby authorized to borrow, at such time or times, and upon such terms as it may prescribe, upon sealed competitive bids, after written notice to all banks in Marion County, a sum or sums not exceeding in the aggregate the amount hereinabove appropriated, pledging all taxes to be raised by virtue of the levy to be made hereunder and the full faith and credit of the county for such loan or loans. The chairman of the board of county commissioners and the county treasurer shall execute a note or notes for such loan or loans, which note or notes, when so executed, shall be a lien upon all taxes to be raised during the year 1964 for the levy to be made under this act; *provided*, that the monies hereinabove appropriated shall be used only for the purpose for which such appropriation is made and for no other purpose or purposes, and the board of county commissioners and the county treasurer are hereby expressly forbidden to exceed directly or indirectly the appropriations herein made for any purpose whatsoever unless upon authorization of the county delegation; and *provided*, further, that all unexpended balances on appropriations for the period beginning July 1, 1963, and ending June 30, 1964, shall be added to the ordinary county funds hereinabove mentioned. *Provided*, that no funds of Marion County in excess of the sum protected by the Federal Deposit Insurance shall be deposited by an officer thereof in any bank or banks unless such bank or banks shall file with the county treasurer an indemnity bond in some approved surety company, or shall deposit with the county treasurer, United States, State, county, municipal, school district, Federal Land Bank Bonds, or other bonds guaranteed by the United States, or county notes, to indemnify the County of Marion against any loss or damage which may arise by reason of

such deposit, the indemnity to be not less than the maximum amount so deposited less the sum protected by the Federal Deposit Insurance, the sufficiency of the indemnity or security hereinabove provided for to be determined and approved by the county treasurer and the chairman of the board of county commissioners in writing. In addition to borrowing such sum or sums as may be necessary to cover the provisions of this act, in case of an emergency, the Marion County Legislative Delegation to be the judges thereof, the board of county commissioners may, with written approval of the Marion County Legislative Delegation, borrow such additional funds as may be necessary to meet such emergency, pledging as security therefor, the full faith and credit of Marion County for the payment of any sum or sums so borrowed.

SECTION 5. From the effective date of this act fishing from the banks with hook and line only shall be permitted in the sanctuaries between Aerial's Cross Roads and Galivant's Ferry from sunrise to sunset on Wednesday and Saturday of each week.

SECTION 6. The amounts hereinbefore appropriated for salaries for officers and employees shall be in full for their compensation and they shall not receive allowances for travel or other expenses, except as herein provided, save and except postage, stationery and office supplies which shall also be furnished each of the magistrates upon their written requisition to the board of county commissioners. No claim for mileage or travel for any purpose shall be paid without claimant first securing the approval of the county board of commissioners before making such trip, and if such travel or mileage is authorized and approved claimant shall be paid at the rate of seven cents per mile for actual distance traveled in the most direct route going to and returning from the place of destination. *Provided*, that the sheriff is required to use the facilities of the State whenever available for the purpose of returning prisoners to the county.

SECTION 7. The amount hereinabove appropriated of the hospitalization fund shall be paid by the county board of commissioners upon presentation to them of approved claims by the county board of welfare or its director. The county board of welfare, working in conjunction with the superintendent of the hospital, is hereby directed to make a thorough study of the needs of every applicant for assistance from this fund. It shall work in conjunction with the superintendent of the hospital and, in the investigation of any applicant for assistance

from this fund, the records, files and information which the superintendent of the hospital may have concerning such applicant shall be accessible to the county board of welfare in order to determine whether or not such applicant is entitled to assistance hereunder, and likewise any files, records and information which the county board of public welfare may have concerning the applicant shall be accessible to the superintendent of the hospital. In the event the county board of public welfare and the superintendent of the hospital are unable to agree whether or not such applicant is entitled to assistance hereunder, then one disinterested member of the welfare board, after having studied the report or reports on such applicants, shall determine whether the applicant is entitled to assistance. In emergency cases, the county board of public welfare is directed to make an investigation of the applicant even though he or she may have already been admitted to the hospital or discharged therefrom, and if it is finally determined that such emergency case is entitled to assistance hereunder, the county board of public welfare is hereby directed to approve same.

SECTION 8. The board of county commissioners, with the approval of a majority of the legislative delegation, shall have authority to employ a county attorney and to pay for his services out of the contingent fund.

SECTION 9. The county board of commissioners, through its chairman or clerk, is hereby authorized and directed to issue a license to carnivals or other shows operating in Marion County. The license fee shall not exceed the sum of one hundred dollars per day, and the amount of the fee shall be recommended by the chairman of the county board of commissioners after he has made an investigation of the type of carnival or show concerned and the type and kind of its activities. *Provided*, that this section shall not apply to carnivals or shows contracting with the Marion County Fair Association.

Provided, further, that a majority of the county board of commissioners may, in their discretion, waive this section when such carnivals or shows are sponsored by a local civic organization.

SECTION 10. The auditor shall call the local board of assessors together before beginning their work and shall instruct them that in all cases where a taxpayer is dead, or has removed, or is unknown to any of them, it shall be their duty to make a list of such and at the conclusion of their work to turn such list over to the tax collector. The

tax collector, or assistant tax collector, shall be required to make a personal visit to the territory in which such taxpayer is last listed, and if after a careful investigation he is of the opinion that the person is dead or cannot be found, then same can be nulla bona by the proper authorities and he shall be required to go into this clarification of the tax list immediately after the local boards finish their work, and at the end of three months make a report of such work to the county commissioners and the delegation and submit a copy of same to the treasurer. He shall further be required to turn over to the treasurer on the first of each month all money collected by his office the preceding month.

SECTION 11. The Tax Collector, or Assistant Tax Collector, of Marion County shall receive two dollars execution fee on all taxes so collected by him. The tax collector, or assistant tax collector, upon collecting such taxes, shall turn all costs and fees over to the county treasurer and take receipts therefor, and at the end of each month thereafter the county treasurer is authorized and directed to pay over to the tax collector, or assistant tax collector, two dollars on each execution fee so collected by him.

SECTION 12. The twenty-five hundred dollar item appropriated for the Board of Equalization shall be distributed in the following manner: each member of the board shall be paid seven dollars and fifty cents per day while attending his official duties as such, plus seven cents per mile for mileage.

SECTION 13. All gas, oil and equipment shall be purchased by competitive bid, and also all other supplies where practicable.

SECTION 14. All county officers of Marion County, if they so desire, are authorized to close their respective offices at five o'clock P. M. All county officers and employees shall be entitled to a half-day holiday each week in addition to Sundays and State holidays now being observed, a schedule for such half-day holidays to be arranged by the head of each department; *provided*, however, that deputy sheriffs shall not be entitled to a half-day holiday during the tobacco season except when the same shall be expressly authorized by the sheriff.

SECTION 15. In order to facilitate the preparing of the county appropriations act by the legislative delegation, the county treasurer shall, on or before the first day of February each year, in writing,

report to the legislative delegation the amount of county funds coming into his hands during the preceding calendar year, giving the source of the funds. He shall further report the disbursements made by him during the preceding calendar year showing the amounts disbursed on vouchers by the respective boards of the county, certificates or warrants of the clerk of court, and interest and principal paid on bonds.

The Superintendent of Education of Marion County shall, on or before the first day of February of each year, report to the legislative delegation in writing, a detailed statement of all revenues allotted for school purposes for the preceding school fiscal year and all disbursements made by him for school purposes for the preceding fiscal year. He shall also furnish to the legislative delegation on or before February first of each year an estimate of all anticipated revenues for the present school fiscal year, and an estimate of all disbursements for the present school fiscal year. He shall also furnish to the legislative delegation an estimate of all revenues to be allotted or received for school purposes for the next school fiscal year, and also an estimate of all disbursements for the next school year.

SECTION 16. In each of the respective school districts of Marion County, there are created four scholarships for those deserving boys and girls who desire to attend college and need financial assistance to do so. Each scholarship shall be of the value of two hundred dollars. The scholarships shall be awarded upon the recommendation of the County Board of Education for Marion County by and with the consent of a majority of the legislative delegation. The scholarships shall be awarded to the most worthy and needy students, who shall meet such requirements as the county board may prescribe. These scholarships shall be paid from surplus funds accruing to the department of education. *Provided*, however, that in School Districts 3 and 4 there shall be only two scholarships in each district.

SECTION 17. All appropriations herein made and all services thereby provided shall be expended and used only and solely for public purposes as required by law and the use of any county personnel, equipment or labor for private profit and benefit is strictly forbidden. Any officer or employee violating the provisions hereof shall be discharged or removed from employment or office. All authorizations that have been granted and issued by the Marion County Legislative Delegation that have not expired by the terms, conditions and limitations thereof, shall expire and terminate on June 30, 1964.

SECTION 18. All appropriations herein made are subject to the right and authority of the Marion County Delegation to change, alter, increase, deduct therefrom, or transfer funds from one account to another, at any time without notice, when in its judgment such change, alteration, transfer, increase or deduction is necessary for the best interest of the county and to conform with revenue expected during the life of this act.

SECTION 19. The magistrates' constables hereinabove mentioned shall be appointed by their respective magistrates, and they shall be subject to removal by the same authorities at any time without the preference of charges. They shall have full rural police powers throughout the county. They shall regularly patrol their respective territories, and faithfully devote their time and effort to the preservation of peace, good order and detection of and prevention of crime therein. *Provided*, however, that the magistrates' constables shall aid and assist the sheriff's office in investigating any and all crimes and the enforcement of law in Marion County. For that purpose they shall be subject to the call of the sheriff of the county at all times, and, when so called, they shall work in cooperation with the sheriff and under his direction and supervision. Any constable who fails or refuses to faithfully and officially discharge the duties in this respect shall be deemed guilty of official misconduct and be forthwith removed from office.

SECTION 20. Notwithstanding any provision herein or any act heretofore passed to the contrary, no change, alteration, transfer, increase or deduction in this appropriation act shall be made, save and except upon the recommendation of the legislative delegation or a majority thereof.

SECTION 21. The Sheriff of Marion County is authorized to employ a deputy who shall handle all warrants issued for the violation of the check laws of the State.

In addition to all other fees and charges, there shall be placed an additional charge of ten dollars for each warrant issued for worthless checks, which shall be placed in a special fund and expended upon the authority of a majority of the legislative delegation, including the Senator. *Provided*, this charge shall not be made except when the prosecution in such cases is discontinued by settlement or compromise.

SECTION 22. The Sheriff of Marion County is authorized to charge ten cents per mile each way for service of civil papers and ten cents per mile each way for serving check warrants.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R853, S627)

No. 1312

An Act To Extend The Open Season For The Hunting Of Quail In Marlboro County For The Year 1964 Only.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Quail season in Marlboro County.—Notwithstanding any other provision of law to the contrary, the open season for the hunting of quail in Marlboro County shall be to and including March first for the year 1964 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1964.

(R984, S730)

No. 1313

An Act To Authorize The State Highway Department And The South Carolina Wildlife Resources Department To Enter Into An Agreement For The Construction Of Roads And Recreation Facilities In Marlboro County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Highway Department and Wildlife Resources Department may make agreement to construct roads and recreation facilities in Marlboro County.—The State Highway Department and the South Carolina Wildlife Resources Department are authorized to enter into a cooperative agreement for the construction of access roads and recreation facilities in Marlboro County.

The agreement may provide for the State Highway Department to prepare the necessary plans; provide construction engineering and inspection; and award the necessary construction contracts, subject to the written approval of the South Carolina Wildlife Resources

Department. All such contracts shall provide for payments for work performed to be made by the South Carolina Wildlife Resources Department from its funds. Upon completion of the construction work, the State Highway Department shall reimburse the South Carolina Wildlife Resources Department out of Farm-to-Market Construction Funds apportioned to Marlboro County not exceeding the actual cost of constructing any such secondary roads or one-half the total cost of the roads and recreation facilities included in the cooperative agreement; whichever is the lesser. The State Highway Department shall pay from its Farm-to-Market Construction Funds apportioned to Marlboro County the cost of engineering and inspection. The roads shall become a part of the State Highway Secondary System upon their completion.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R1317, H2452)

No. 1314

An Act Relating To The Fiscal Affairs Of Marlboro County And The School Districts Thereof; To Provide A Levy Of Taxes For County Purposes For The Fiscal Year Beginning July 1, 1964, And For The Expenditure Thereof; And To Make Provisions For The Due Payment Of Existing Indebtedness Of Marlboro County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following amounts are appropriated from the General Fund of Marlboro County for the purposes herein stated:

Item 1.. Law Enforcement and Administration of Justice:

(A) Sheriff's Office:

Salaries:

Sheriff	\$ 5,840.00
Clerical Assistant	3,300.00
Deputy Sheriffs (2 jailors)	5,760.00
Cook (Jail)	1,020.00
Rural Policemen and Deputy Sheriffs (six) ..	27,940.00

Contingent Fund, Uniform Fund and Radio Fund	1,500.00
Dieting Prisoners	6,000.00
Medical Expense (Jail)	500.00
Servicing Law Enforcement Vehicles	7,500.00
Post Mortems, Inquests and Lunacies	1,000.00
(B) Judiciary:	
County Judge	4,800.00
Attorney, to be appointed by County Delegation	1,200.00
Magistrates:	
McColl	1,200.00
Office Rent, McColl Magistrate	200.00
Office Rent, Blenheim Magistrate	200.00
Office Rent, Clio Magistrate	200.00
Bennettsville	2,400.00
Clio	600.00
Brightsville	600.00
Blenheim	600.00
Wallace	600.00
Brownsville	600.00
<i>Provided</i> , it shall be the duty of the Board of Commissioners to audit the Magistrates' books monthly, and see that all fines have been turned over to the Treasurer before pay warrants are issued.	
Bailiffs, Witnesses, Court Attaches to be paid four dollars per day; Jurors and Grand Jurors eight dollars per day and mileage	7,000.00
Total, Item 1	\$ 80,620.00
Item 2. Supervisor's Office:	
(A) Salaries:	
Supervisor	\$ 7,500.00
Clerk of County Highway Commissioners	3,960.00
(B) Roads, Bridges, Maintenance and Convicts	95,000.00
Total, Item 2	\$106,460.00

Item 3. Courthouse Officials, Courthouse, Public Buildings, Insurance and Office Supplies:

(A) Salaries:

Treasurer	\$ 3,800.00
Assistant to Treasurer	3,000.00
Clerk of Court	1,620.00
Assistant to Clerk of Court	3,000.00
Second Assistant to Clerk of Court	3,000.00
Auditor	3,800.00
Assistant to Auditor	3,420.00
County Service Officer	2,187.00
Assistant County Service Officer	1,944.00
Clerk—Judge of Probate	240.00
Coroner	2,100.00
Supplement to Game Warden Salaries	2,400.00
Part-time Secretary for Soil Conservation Office	1,000.00
Assistant to County Agent	240.00

(B) Supplies:

Janitor, Courthouse	2,860.00
Workmen's Compensation Premium	1,500.00
Social Security	6,000.00
Water, lights, fuel, repairs and insurance	25,000.00
Printing, Postage and Stationery	7,000.00
Audit of County Books	2,800.00
For retirement of County Officers, if so much be necessary	8,000.00

Total, Item 3 \$ 84,911.00

Item 4. Public Health, Charities and Social Welfare:

Sanitary Officer	\$ 300.00
Health Department	13,785.00
Marlboro County General Hospital, to supplement charity aid from Duke Foundation	12,500.00
Marlboro Tuberculosis Association	1,250.00
Library Association	8,920.00
Home and Recreational Center for Aged Negroes of Marlboro County	750.00
Marlboro County U. D. C.	15.00
Armory Maintenance Fund	1,000.00
Mileage for Child Welfare Work	1,300.00

Public Welfare Department	7,940.00
Telephone Expenses for Welfare Department ..	900.00
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Total, Item 4	\$ 48,660.00
Item 5. Marlboro County Agricultural and Development Board:	
(A) Salaries:	
Executive Director	\$ 8,500.00
Secretary	3,120.00
(B) Miscellaneous:	
Auto Expense (Director)	500.00
General Economic Development Fund	2,500.00
Publication, Directories, Professional Dues and Services	550.00
(C) Office Supplies and Telephone:	
Supplies	550.00
Telephone	750.00
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Total, Item 5	\$ 16,470.00
Item 6. Miscellaneous Contingent:	
Bonds, County Officers	\$ 1,500.00
Demonstration Supplies for Home Agents	125.00
Boys' 4-H Clubs	100.00
Girls' 4-H Clubs	100.00
Negro Boys' 4-H Clubs	100.00
Negro Girls' 4-H Clubs	100.00
County Agent	600.00
Assistant County Agent	300.00
Salaries of Prison Camp Preachers	480.00
Lake Wallace Recreation Project	2,500.00
County Home Demonstration Agent	300.00
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Total, Item 6	\$ 6,205.00
Item 7. Civil Defense:	
Marlboro County Rescue Squad	\$ 1,250.00
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Total, Item 7	\$ 1,250.00

Item 8. Special Contingent Fund	\$ 25,000.00
Total, Item 8	\$ 25,000.00
GRAND TOTAL	\$369,576.00
ESTIMATED REVENUE:	
State Sources:	
Gasoline Tax	\$ 91,000.00
Income Tax	61,000.00
Alcoholic Liquors Tax	29,000.00
Beer and Wine Tax	7,500.00
Bank Tax	3,000.00
Total derived from State Appropriations herein	\$191,500.00
County Sources:	
15 Mills Property Tax and Executions	\$135,000.00
Court Fines and Magistrates' Collections	63,000.00
Marriage Fees	2,000.00
Total derived from County Sources for appro- priations herein	\$200,000.00
GRAND TOTAL—ESTIMATED REVENUE	\$391,500.00

All funds by this act provided for the Department of Public Welfare in Marlboro County shall be deposited in a bank to the credit of the Department of Public Welfare and disbursed by check signed by the county directors and countersigned by a member of the Board of Public Welfare, to be by the board designated.

SECTION 2. The Board of County Highway Commissioners and all other officers of Marlboro County are requested and directed to be economical in the expenditure of all public funds, and to keep the expense below the appropriations when practicable and consistent with public requirements, and no unused appropriated fund shall be carried forward for the particular use in the succeeding year, but shall be transferred to the contingent fund provided for in this section. In no case shall the expenditure exceed the appropriation for any purpose; *provided*, that out of the surplus contingent fund are to be paid all necessary expenses for which no specific appropriation was

made herein, and for unavoidable expenses in excess of the appropriations for any purpose. No officer, agent or employee of Marlboro County shall contract any debt for any purpose, or expend any sums in excess of the appropriations in this act provided for such specific purpose, and for any and all violations thereof they, and their bondsmen, shall be jointly and severally liable. Any officer, agent or employee shall be personally liable for any such debt contracted.

SECTION 3. All funds herein appropriated for Marlboro County Agricultural and Development Board shall be expended pursuant to the direction and authorization of the board.

SECTION 4. The sheriff of the county shall have the right, whenever he considers such necessary, to call in the county attorney to prosecute before any magistrate in any and all cases; the fee of the county attorney is to be approved and paid by the county commissioners.

SECTION 5. The sheriff of the county is hereby directed to so regulate the movement and activities of the rural policemen that all sections of the county shall enjoy the protection of the law without favor and without neglect.

The protection of all school property is hereby made a special mission of the sheriff and his force. He is particularly directed to so regulate the enforcement of the law as to protect school property from injury, theft and destruction; and to enforce the law against plowing in the roads. The contingent fund and uniform appropriation of one thousand five hundred dollars hereinabove made shall be expended by the Sheriff of Marlboro County for the enforcement of law and purchase of uniforms for county officers.

SECTION 6. The County Board of Highway Commissioners of Marlboro County is hereby declared to be the sole financial and purchasing agent of Marlboro County, and when any officer or board of the county desires new equipment or supplies, or replacement, or extraordinary service in connection with his or their office, or desires that any expenditure be made, or expense be incurred in regard to his or their office, whether specifically appropriated in this act or not, or desires to make any purchase or incur any expense, he shall file his request for same, in writing, with the County Board of Highway Commissioners, who shall make such purchase in accordance with provisions herein made. No officer or board shall have

any authority to make contracts of purchase or incur other obligations in the name of the county except as authorized by law, and no contracts made, except as herein provided, shall be valid to bind the county.

SECTION 7. The appropriation of twelve thousand five hundred dollars for the treatment in Marlboro County General Hospital of deserving charity patients, whose condition demands hospital treatment, is made subject to the following conditions: that no deserving charity patient as above described shall be turned away as long as there are facilities and room in the hospital; that there shall be no charge whatsoever except the daily expense of sixteen dollars and fifty-eight cents per patient. *Provided*, that the funds shall be available for use of the Marlboro County General Hospital only upon itemized statements of the actual days spent in the hospital by charity patients, signed by each patient individually and certified by the hospital management, such statement being presented to the board of county commissioners at its regular monthly meetings. The Duke Foundation payment for charity work of one dollar per day is to be deducted from the amount of sixteen dollars and fifty-eight cents, leaving fifteen dollars and fifty-eight cents per charity patient to be paid by the county. These conditions and provisions are to be interpreted and enforced as meaning that when the Duke Endowment gives one dollar for charity work, the county will give fifteen dollars and fifty-eight cents, not to exceed in total amount the sum of fourteen thousand five hundred dollars for the year 1964-1965. County funds shall be available only to match in this way funds coming from the Duke Foundation for charity beds, and shall be paid only in cases approved as charity cases by the Duke Foundation. The board of county commissioners is authorized and directed to prepare and have printed for use by the patient and hospital management forms and blanks for making the above-mentioned certified statements. *Provided*, further, that the charity patients referred to must be citizens of Marlboro County.

SECTION 8. The sheriff shall be allowed one dollar and twenty-five cents per day per prisoner for feeding prisoners, but no payment beyond the total sum of six thousand dollars is to be made.

SECTION 9. The janitor of the courthouse shall be hired by the supervisor.

SECTION 10. The county commissioners shall receive as pay for their services the sum of fifteen dollars for each day actually engaged on official duty and mileage at the rate of nine cents per mile actually traveled. All are to be paid from the contingent fund.

SECTION 11. The sheriff's stenographer shall also be available and provide such services as may be necessary for the Magistrates and the Coroner of Marlboro County. The coroner is authorized and directed to have the stenographer take down stenographically all testimony at inquests held in the county; and at such inquests the coroner shall swear and examine every eyewitness. The stenographer shall make an original and one copy of the testimony taken at such inquest, and he or she shall sign and deliver the original to the coroner, and one copy to the solicitor.

SECTION 12. The sheriff is authorized to sell all materials, supplies, or other property seized or confiscated by him or his officers, where not prohibited by law, and the proceeds shall be turned over to the sheriff's contingent fund to be used for ordinary purposes of his office.

SECTION 13. The board of commissioners shall publish once each month in some newspaper published in Marlboro County an itemized statement of all expenditures of county funds, contract for publishing the same to be let to the newspaper making the lowest bid.

SECTION 14. The county supervisor shall be the executive head of the county board of highway commissioners; but each member of the board of county highway commissioners shall have equal authority and the board shall at each monthly meeting provide for and set out generally the work to be done the following month on the county road system.

SECTION 15. The county commissioners are hereby authorized and empowered to borrow money for county purposes in anticipation of collection of taxes and to pledge such taxes when collected, as well as the full faith and credit of Marlboro County, for its repayment, upon the written approval of the legislative delegation. No amount shall be borrowed in excess of anticipated taxes.

SECTION 16. The funds appropriated and set aside in this act shall be used only for the purposes set forth herein. In the event funds are used for items for which they were not appropriated, all officers, agents or employees who take part in or have anything whatsoever to do with

the transfer or use of such funds shall be deemed guilty of malfeasance in office and subject to removal at once by the Governor of the State of South Carolina, or by the proper officials of Marlboro County. Monies may be transferred from any account, item, or county fund to any other account, item or county fund upon the written direction and approval of the legislative delegation.

SECTION 17. The Board of Commissioners of Marlboro County shall have no authority to make donations for any purpose.

SECTION 18. At least fifteen hundred dollars of the eight thousand twenty dollars appropriated to Library Association in Item 4 hereof shall only be used by such association for necessary expense in operating a circulating library over the county.

SECTION 19. In order to raise the funds herein appropriated or authorized to be spent, not provided otherwise by law, the county auditor is authorized and directed to levy ten mills upon all taxable property in Marlboro County.

SECTION 20. Any unexpended funds now in, or hereinafter due to, the Courthouse Fund shall be transferred by the Treasurer of Marlboro County to the County General Fund.

SECTION 21. Funds of the Marlboro County Hospital and Health Center Fund may be used only upon the written authorization of the Legislative Delegation from Marlboro County. All or any part of such fund may be so transferred to appropriations for Marlboro County Hospital, or for other uses of the hospital as herein provided, or otherwise.

SECTION 22. Repairs and service to sheriff's radios and radio equipment shall be paid out of the sheriff's contingent fund.

SECTION 23. All funds herein provided for Marlboro County Health Department may be used only upon written authorization of the Legislative Delegation from Marlboro County.

SECTION 24. The appropriation herein made for salaries for rural policemen and deputy sheriffs shall be allocated by and in the discretion of the Sheriff of Marlboro County among the deputy sheriffs and rural policemen.

SECTION 25. All execution fees collected by the tax collector which have heretofore been payable to the Treasurer of Marlboro

County as the treasurer's fees for collection of delinquent taxes shall from the date of this act be payable to the Treasurer of Marlboro County as funds of the county, and shall be deposited by the Treasurer of Marlboro County in the County General Fund. All commissions or fees collected by the Treasurer of Marlboro County for the sale of State documentary stamps shall be paid over to the General Fund of the county by the treasurer. All fees heretofore paid to the Auditor of Marlboro County for any purpose whatsoever shall be paid over to the Treasurer of Marlboro County as county funds, and shall be deposited by the treasurer in the General Fund of the county. This act will in no way affect the execution fees due the estate of Bessie R. David, deceased, and the estate of L. K. Breeden, deceased, on delinquent taxes that may hereafter be collected.

SECTION 26. The appropriation herein made for Armory maintenance shall be expended pursuant to the written direction and authorization of the Commanding Officer of Co. A., 3rd Bn. (mechanized) 118th Infantry. Such written authorization shall contain an itemization of expenditures.

SECTION 27. The appropriation made in Item 7 "Special Contingent Fund" shall be expended on the written authorization and direction of the Marlboro Legislative Delegation and shall be expended in connection with a special program for tax equalization.

SECTION 28. The appropriation herein made for the Lake Wallace recreation project shall be expended pursuant to the written authorization of the Marlboro County Legislative Delegation.

SECTION 29. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R722, H2403)

No. 1315

An Act To Authorize The Treasurer Of Newberry County To Borrow A Sum Of Money For Constructing And Equipping A County Nursing Home, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Newberry County may borrow money.—The Treasurer of Newberry County is hereby authorized to borrow for constructing and equipping a county nursing home not exceeding one hundred seventy-five thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note to be executed by the treasurer of the county. The note shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

SECTION 2. Payment.—For the payment of the note, the Auditor of Newberry County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of February, 1964.

An Act Providing For The Creation Of Watershed Conservation Districts In Newberry County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The

Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Newberry Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Newberry County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed conservation districts may be formed in Newberry County.—Authority is hereby granted to form watershed conservation districts within Newberry County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined

watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area scribed in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the

hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the referendum and announce the results. The cost of holding the referendum shall be paid from the general fund of Newberry County. *Provided*, that notwithstanding any provision of law to the contrary the power of eminent domain shall not be exercised over the protest of any landowner until it is conclusively established that the land proposed to be condemned is absolutely essential to the creation and operation of the soil conservation district.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For creation of Watershed Conservation District”

“Against creation of Watershed Conservation District”

A square shall follow each proposition. The ballot shall contain a direction to insert an “X” mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided*, however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Newberry County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation

district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.

—(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, upon the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving

the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.

—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act; *provided*, that the power of eminent domain conferred hereunder shall not extend to the property of any public utility as such utility could have acquired under its power of eminent domain;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the

repayment of the loan; and to issue, negotiate, and sell its bonds as provided in **Section 11 of this act**;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

SECTION 11. Bonds not to be issued unless referendum held.—

(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and

maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Newberry County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing

shall be given by the supervisors. If it is determined by the supervisors that such lands be detached, such determination shall be certified to the Auditor of Newberry County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—

(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the Watershed Conservation District" and "Against terminating the existence of the Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the

petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided*, however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Newberry County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—

If the Newberry Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Newberry County.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R891, H2327)

No. 1317

An Act To Provide For The Levy Of Taxes For Newberry County For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following amounts are hereby appropriated for the following purposes for the County of Newberry for the fiscal year beginning July 1, 1964, and the salaries of officers and employees are fixed as hereinafter stated :

Item 1. For salaries of county officers, to be disbursed as follows:

Clerk of Court of Common Pleas and General Sessions and Register of Mesne Conveyances...	\$ 5,710.00
Assistant	4,894.00
Clerical Help for Clerk of Court	2,855.00
Sheriff	6,118.00
Delinquent Tax Collector	4,894.00
Deputy Help for Tax Collector, to be expended on authorization of Tax Collector	2,855.00
Jailor	3,546.00
Assistant Jailor	408.00
Senior Deputy Sheriff	5,141.00
Four Deputy Sheriffs	18,076.00
County Attorney	1,500.00
County Treasurer	2,937.00
Clerical Help for Treasurer	2,855.00
County Auditor	2,937.00
Clerical Help for Auditor	2,855.00
Joint Clerical Help for Auditor and Treasurer	2,855.00
Probate Judge	5,710.00
Clerical Help for Probate Judge	2,855.00
Coroner	1,534.00
County Supervisor	5,710.00
Two Commissioners @ \$1,631.50 each	3,263.00
Clerk of County Board	4,894.00
Clerical Help for Board of Commissioners	1,200.00
Assistant County Agent	1,260.00
County Agent	1,260.00
<i>Provided, Clemson College Extension Service reimburses the Assistant County Agent of Newberry County to the amount of four hundred eighty dollars.</i>	
Civil Defense Director (county's share)	2,000.00
Clerical Help for Civil Defense Director (county's share)	1,428.00
Magistrates as follows:	
District No. 1, Whitmire	1,854.00
District No. 2, Newberry	4,450.00
Clerical Help	1,349.00

District No. 3, Prosperity	1,484.00
District No. 4, Pomaria	989.00
District No. 5, Chappels	989.00
District No. 6, Little Mountain	989.00
Constables:	
District No. 1	3,263.00
District No. 2	3,263.00
District No. 3	1,110.00
District No. 4	849.00
District No. 5	1,371.00
District No. 6	800.00
Hostess for Community Hall	1,260.00
Keeper, Ladies' Rest Room	1,260.00
Keeper, Colored Rest Room	1,039.00
Newberry County Board of Registration	742.00

Provided, that the Sheriff be allowed the fees for dieting federal and county prisoners according to the dieting fees allowed by Federal and State authorities; and *provided*, further, that the Treasurer is hereby authorized to pay all exchange charges by the banks on checks given in payment of taxes. *Provided*, further, that all monies received by the Treasurer from the State for the County Service Officer shall be paid to the Newberry County Service Officer as salary in twelve equal monthly installments.

Total, Item 1	\$128,611.00
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Item 2. Supervisor's Office:

(a) Chain gang maintenance	\$ 25,000.00
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Provided, that all salaries paid from this account shall be increased by five per cent above the rate paid for the fiscal year 1963-1964.

(b) For repairs on public buildings, contingent expenses and supplies:

(1) Telephone Service	3,900.00
(2) Water and Lights	3,200.00
(3) Fuel	3,800.00
(4) Insurance	2,200.00
(5) Repairs	4,000.00
(6) Janitor Supplies	1,000.00

(c) For Road Maintenance 60,000.00

Provided, that all salaries paid from this account shall be increased by five per cent above the rate paid for the fiscal year 1963-1964.

Provided, further, that any unexpended funds appropriated for this purpose for the fiscal year 1963-1964 shall be added to the funds hereby appropriated.

(d) For purchase of Truck, Repair of Equipment and Machinery, and Cement Pipe 6,000.00

(e) Miscellaneous Contingent Fund 20,000.00

Provided, \$15,000.00 of the above sum shall be spent upon the approval of the legislative delegation, and \$5,000.00 shall be spent upon the approval of the County Board of Commissioners.

Total, Item 2 \$129,100.00

Item 3. For books, stationery, postage, printing and re-binding books and records in the County Court-house, if so much be necessary 7,500.00

Total, Item 3 \$ 7,500.00

Item 4. Miscellaneous and Contingent Expenses to be applied as follows:

Uniforms for four Deputy Sheriffs \$ 1,000.00

For premiums on bonds of county officers, if so much be necessary 850.00

Travel, County Auditor 300.00

Welfare Worker, Travel Expense at nine cents per mile, if so much be necessary 600.00

Stenographer, Home Demonstration Agent's Office 918.60

Stenographer, County Agent's Office 480.00

Postage, Office Incidentals and Demonstration Material for:

Home Demonstration Agent 150.00

County Agent 150.00

Boy's 4-H Club Work 75.00

Negro Boys' 4-H Club Work 75.00

Girls' 4-H Club Work 75.00

Negro Girls' 4-H Club Work	75.00
For Negro Home Demonstration Agent	1,070.40
Expenses, Negro Home Demonstration Agent	100.00
Clerical Help for Negro Home Demonstration Agent	1,620.00
Rent for colored Home Demonstration Agent and County Agent	320.00
Expenses, Negro County Agent	75.00
For printing, in county newspaper, itemized quarterly reports of expenditures by the County Board of Commissioners	660.00
For Regional Library	8,600.00
Fuel, Whitmire Public Library	400.00
To S. C. Industrial Commission, Workmen's Compensation Act	3,500.00
To S. C. Retirement Fund and Insurance	7,680.00
Social Security	5,900.00
Emergency Relief	1,700.00
Newberry County Girl Scouts	75.00
Newberry County Boy Scouts	75.00
To County Treasurer for handling Documentary Stamps	300.00
For County Audit	1,500.00
County Health Work	7,000.00
For County Artificial Breeding Association	1,000.00
For the purpose of a new automobile and radio for Sheriff's office, if so much be necessary	2,000.00
Expenses of Service Officer	500.00
Travel for Coroner, payable \$25.00 monthly	300.00
Members, County Board of Public Welfare at \$136.00 each	408.00
For maintenance of car radios for Sheriff's office at \$30.00 per month	360.00
For expenses of Clerk of Court in handling non-support cases	300.00
Total, Item 4	\$ 50,192.00
Item 5. Board of Equalization and Board of Assessors ..	\$ 2,100.00
Total, Item 5	\$ 2,100.00

Item 6.	For expenses of Court of Common Pleas and General Sessions, if so much be necessary	\$ 6,500.00
	<i>Provided</i> , jurors and bailiffs shall be paid seven dollars and fifty cents per day.	
	Total, Item 6	\$ 6,500.00
Item 7.	For dieting prisoners @ ninety cents per day, if so much be necessary	\$ 5,500.00
	Total, Item 7	\$ 5,500.00
Item 8.	Post Mortems and Lunacy and Coroner's Inquests, if so much be necessary	\$ 900.00
	Total, Item 8	\$ 900.00
Item 9.	Company Maintenance Funds, National Guard Co. K, 218th Infantry, Whitmire	\$ 1,200.00
	Custodian, Newberry National Guard Armory	2,500.00
	Total, Item 9	\$ 3,700.00
Item 10.	Official Expense for Deputy Sheriffs, to be paid in monthly installments of \$15.00 each	\$ 900.00
	Fingerprinting expense for Sheriff's office	300.00
	Total, Item 10	\$ 1,200.00
Item 11.	Board of Rural Fire Control, to be paid upon approval of a majority of the Board	\$ 10,000.00
	Total, Item 11	\$ 10,000.00
Item 12.	Rent, Civil Defense Office (county's share) . . .	\$ 600.00
	Supplies and equipment maintenance, Civil Defense office	5,000.00
	<i>Provided</i> , no expenditure in excess of \$500.00 shall be made from this fund without the prior written approval of the legislative delegation.	
	Total, Item 12	\$ 5,600.00
	GRAND TOTAL	\$350,903.00

SECTION 2. All salaries herein provided shall be for the fiscal year 1964-1965 and shall be paid monthly.

SECTION 3. All revenue and income accruing to the County of Newberry in 1964-1965 from other sources than from the taxes herein provided shall be used for meeting the appropriation herein made.

SECTION 4. The county auditor is hereby authorized, empowered, directed and required to levy upon all of the taxable property in Newberry County for the year beginning July 1, 1964, after taking into consideration funds accruing to the county from the State and all other sources, a sufficient tax levy to raise a sufficient sum of money to pay interest on the county indebtedness and all appropriations made herein inclusively.

SECTION 5. A special levy of one mill for the year beginning July 1, 1964, is hereby levied and directed to be collected on all real and personal property of Newberry County returned for taxation, for the exclusive purpose of creating a fund for the Newberry County Hospital.

SECTION 6. The Newberry County Legislative Delegation is hereby vested with full power and authority to order an audit during the year 1964-1965 of any and all departments, offices and officers of Newberry County.

SECTION 7. The penalty of three per cent on delinquent taxes shall go to Newberry County; *provided*, however, that the delinquent tax collector of Newberry County and his authorized agents and deputies shall be entitled to the mileage actually traveled and allowed by law for one trip only to each delinquent.

SECTION 8. The Treasurer of Newberry County is hereby authorized and empowered to borrow such money as is necessary to meet the ordinary expenses of Newberry County.

SECTION 9. This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1964.

(R1116, H2565)

No. 1318

An Act To Provide Nursing Home Facilities For Newberry County; To Provide For The Refunding Of Outstanding Debt Of Newberry County; To Authorize The County Board Of Commissioners of Newberry County To Issue General Obligation Bonds Of The County In An Amount Not Exceeding Three Hundred Thousand Dollars; To Prescribe The Purposes For Which The Proceeds Shall Be Expended; And To Make Provision For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that by the provisions of Act No. 615 of 1963, there was created the Newberry County Nursing Home Committee for the purpose of studying the need of Newberry County for a nursing home; that the committee has completed the study assigned to it; and has recommended the construction of a nursing home in Newberry County. On the basis of the report and recommendations of the committee, and its own investigation, the General Assembly finds that a nursing home is needed for Newberry County and that an expenditure of public funds is necessary to provide the same. In this connection, it is estimated at the present time that Newberry County must provide approximately one hundred fifty thousand dollars which, together with federal funds to be made available, will be used to provide a nursing home for Newberry County. The nursing home is to be owned and operated by the county as a public nursing home. The funds to provide the nursing home therefore clearly will be expended for a corporate purpose of Newberry County as prescribed by Section 5 of Article X of the South Carolina Constitution, and for a permitted purpose under Section 6 of Article X as construed by the South Carolina Supreme Court in the cases of *Battle vs. Willcox*, 128 S. C. 500, 122 S. E. 516 and *Smith vs. Robertson*, 210 S. C. 99, 41 S. E. 2d 631.

The General Assembly further finds that Newberry County is indebted to the Division of Sinking Funds and Property in the amount of approximately one hundred twenty thousand dollars payable during the next three years; all of this debt can be prepaid at any time prior to maturity, and sound fiscal planning indicates that the proper way to handle this indebtedness is to refund the same through issuance of county bonds to be repaid over a more extended period of time.

On the basis of the foregoing, the General Assembly has determined to empower the County Board of Commissioners of New-

berry County to issue general obligation bonds of the county to the extent provided herein, to be used for either or both of the two purposes enumerated above.

SECTION 2. Newberry County may issue bonds.—The County Board of Commissioners of Newberry County (the board) is authorized to issue general obligation bonds of the county to the extent of not exceeding three hundred thousand dollars, or such lesser amount as shall be permitted by the applicable Constitutional limitation controlling the bonded debt of Newberry County, and to apply the proceeds of such bonds to either or both of the following two purposes: (1) to provide, together with available federal funds, a nursing home for Newberry County; and (2) to refund the existing debt of Newberry County to the Division of Sinking Funds and Property represented by two notes of Newberry County, dated May 28, 1962 and June 6, 1962.

SECTION 3. Issue — denominations — maturity — redemption — interest — dates.—The bonds authorized hereby shall be issued as a single issue or from time to time in several separate issues, and shall be in such denominations as the board may prescribe. Each issue shall mature serially in successive, annual installments, of such amounts as may be determined by the board, except that the first maturing bonds of each issue shall mature not later than two years from the date of such issue, and the maturity date of any installment of any issue shall be not later than twenty years from the date of such issue. Any bonds issued pursuant to this act may contain a provision permitting their redemption prior to their maturity date at par and accrued interest plus such redemption premium as may be prescribed by the board; but no bond shall be redeemable before maturity unless it contains a statement to that effect. The bonds issued pursuant to this act shall bear such rate of interest as the board may determine, payable annually or semiannually, and shall bear such dates and be payable at such place, within or without the State, as the board may determine. The bonds may be issued with the privilege of the holder of having them registered as to principal on the books of the Treasurer of Newberry County upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 4. Execution.—The bonds and the coupons attached to such bonds shall be executed in such manner as the board shall by resolution prescribe.

SECTION 5. Sale.—The bonds shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold at public sale after public advertisement of the sale in a newspaper of general circulation in this State. The published notice of sale shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 6. Payment.—For the payment of the principal and interest of the bonds, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Newberry County shall be irrevocably pledged and there shall be levied annually by the Auditor of Newberry County, and collected by the Treasurer of Newberry County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in Newberry County sufficient to pay the principal and interest on such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 7. Exempt from taxes.—The principal and interest of the bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 8. Proceeds.—The proceeds derived from the sale of the bonds shall be paid to the Treasurer of Newberry County and shall be expended and made use of by the board as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be used upon the warrant or order of the board to defray the costs of issuing the bonds and for either or both of the following two purposes: (1) together with federal funds available, to defray the cost of acquiring a site for and constructing and equipping thereon a public nursing home for Newberry County; and (2) to retire all or any part of the indebtedness of Newberry County to the Division of Sinking Funds and Property represented by the several notes of the county more fully set out in Section 2.

(d) If any balance remains it shall be held by the treasurer of the county in a special fund and used to effect the retirement of the bonds authorized hereby.

SECTION 9. Powers additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1157, H2621)

No. 1319

An Act To Amend Act No. 119 Of 1963, Relating To The Newberry County Water Authority, So As To Permit The Authority To Contract With Persons Beyond The County Limits And To Provide For Arbitration When Property Is Annexed To A Municipality.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 13 of Act 119 of 1963 amended—contracts to purchase water.—Section 13 of Act No. 119 of 1963 is amended by adding at the end of line two “and adjacent to” so that, when so amended, the section shall read:

“Section 13. All municipalities, public bodies and public agencies operating water district systems in and adjacent to Newberry County shall be fully empowered to enter into contracts to buy water from the Authority. Such contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the Authority, and to the contracting municipality, public body or public agency.”

SECTION 2. Act 119 of 1963 amended—Section 13-A added—acquiring property of Authority by municipality in annexed area.—Act No. 119 of 1963 is amended by adding a new section to read as follows:

“Section 13-A. In the event areas are annexed to a municipality which contain property of the Authority and the municipality desires to acquire such property, the Authority and municipality shall each

appoint one person, and those so appointed shall appoint a third person, to arbitrate the sales price. The findings of the arbitration group shall be binding."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R780, H2161)

No. 1320

An Act To Authorize The County Board of Commissioners Of Oconee County To Borrow Not Exceeding Fifty-Eight Thousand Dollars For Use In Payment For Capital Improvements To The Oconee County Hospital And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Oconee County may borrow money.—The County Board of Commissioners and the Treasurer of Oconee County are authorized to borrow not exceeding fifty-eight thousand dollars to be used exclusively for payment of county hospital capital improvement costs certified to the board by the Hospital Building Committee for Oconee County. The funds shall be borrowed from any lending institution in Oconee County at the best available rate of interest. The amount borrowed shall be evidenced by a note executed by the county board of commissioners and the treasurer and shall be payable no later than one year from the date of execution.

SECTION 2. Payment.—For the payment of the note, the Auditor of Oconee County shall levy, and the treasurer shall collect, for one year only, a tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act. *Provided*, that before any tax is levied or collected, the treasurer shall apply to the payment of the note any federal funds available for that purpose.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R995, S758)

No. 1321

A Joint Resolution To Create A Commission To Commemorate The One Hundredth Anniversary Of The Creation Of Oconee County.

Whereas, the year 1968 will mark the centennial of the creation of Oconee County when, pursuant to the provisions of the Constitution of South Carolina of 1868, Pickens County was divided into two parts, with that portion lying east of a designated line being named Pickens County and that territory lying west of the same line being designated as Oconee County; and

Whereas, during the years that Oconee County has been a political entity of the State of South Carolina, it has proudly made its contribution toward the improvement and advancement of the State as a whole, and all of the citizens of the county look forward with pleasure to celebrating the approaching centennial. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Oconee County Centennial Commission created.—

In order to provide for appropriate observances and the coordination of ceremonies in observance of the centennial of Oconee County in 1968, there is hereby established a commission to be known as the Oconee County Centennial Commission. The commission shall be composed of ten members, who shall be appointed by the Governor upon the recommendation of a majority of the legislative delegation from the county. The commission shall meet as soon as practicable after appointment and organize itself by electing one of its members as chairman, another as secretary and such other officers as the commission may deem appropriate. Thereafter, the commission shall meet on the call of the chairman or a majority of its members.

The commission may appoint honorary members, and may establish an advisory council composed of such persons as may be especially interested in the celebration of the centennial, to assist in its work.

SECTION 2. Prepare overall program and accept donations.—

It shall be the duty of the commission to prepare an over-all program to include specific plans for commemorating the one hundredth anniversary of the creation of Oconee County. The commission is authorized to accept donations of money, property or personal services which may be appropriate in assisting in the performance of the duties of the commission.

SECTION 3. Conduct programs.—The commission is authorized to conduct programs at such times and in such manner as will insure that fitting observance be made which will portray the progress of the county during the century and the understandable pride of the people in their accomplishments.

SECTION 4. Compensation and expenditures.—The members of the commission shall serve without compensation, but they shall be entitled to such mileage, subsistence and per diem as is authorized for commissions, committees and boards by law. These and other necessary expenditures of the commission shall be made by warrants signed by the chairman and paid from such funds as may be appropriated by law for this purpose.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1180, H2666)

No. 1322

An Act To Authorize And Empower The Board Of Trustees Of The School District Of Oconee County To Issue Not Exceeding Six Hundred Thousand Dollars Of General Obligation Bonds Of The School District Of Oconee County, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that there is a need in The School District of Oconee County, the State of South Carolina, as constituted by Article 2,

Chapter 54, Volume 5, of the 1962 Code (The School District), for a new Senior High School at Walhalla, and that the cost of constructing and equipping said new high school will amount to approximately six hundred thousand dollars.

SECTION 2. School District of Oconee County may construct and equip new high school.—The General Assembly authorizes and empowers the Board of Trustees of The School District of Oconee County, the State of South Carolina (the Board) to undertake the construction and equipping of the new high school described in Section 1 of this act and to that end empowers the Board to take such steps as may be necessary to construct and equip the new high school.

SECTION 3. Bond issue authorized.—In order to provide funds for the new high school referred to in Sections 1 and 2, the Board is hereby authorized and empowered to issue and sell, either as a single issue, or from time to time, as several separate issues, general obligation bonds of The School District in the amount of not exceeding six hundred thousand dollars, or so much thereof as shall be at the time of issuance within the constitutional debt limitation applicable to The School District.

SECTION 4. Maturity.—All bonds issued pursuant to this act shall be in such denomination, shall mature in such annual series or instalments as the Board shall provide for, except that the first maturing bonds of any issue shall mature within three years from the date as of which they shall be issued; and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

SECTION 5. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the Board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

SECTION 6. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Oconee County, upon such condition as the Board may prescribe. Except when so

registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments, under the law merchant and the negotiable instruments law.

SECTION 7. Where payable.—The bonds issued pursuant to this act shall be made payable at such place or places, within or without the State, as the Board shall provide.

SECTION 8. Interest.—Bonds issued pursuant to this act shall bear interest at a rate or rates determined by the Board.

SECTION 9. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the Board shall by resolution provide.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of The School District shall be irrevocably pledged, and there shall be levied annually by the Auditor of Oconee County, and collected by the Treasurer of Oconee County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in The School District, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor, such unlimited levy shall be made without the necessity of any referendum thereon regardless of the contrary provisions of any other act including Act No. 344 of the 1963 Acts.

SECTION 12. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 13. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Oconee County to be deposited in a Bond Account Fund for The School District, and shall be expended and made use of by the Board as follows:

- (a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.
- (b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.
- (c) The remaining proceeds shall be used for the following purposes:
 - (i) To defray the costs of issuing the bonds authorized by this act; and
 - (ii) To provide the school facilities for The School District set forth in Section 1 hereof.
- (d) If any balance remain, the same shall be held by the Treasurer of Oconee County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 14. Powers additional.—The powers and authorizations hereby conferred upon the Board shall be in addition to all other powers and authorizations previously vested in the Board and may be availed of pursuant to action taken at any regular or special meeting of the Board.

SECTION 15. No further action required.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized.

SECTION 16. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 17. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1282, S865)

No. 1323

An Act To Authorize Loans By The County Commissioners Of Oconee County For The Purpose of Developing Certain Watersheds And To Provide For Rights Of Way.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Oconee County may make loans for maintaining watersheds.—The Treasurer and the County Commissioners of

Oconee County are authorized to make such loans and advances from appropriations for maintaining of watersheds as may be necessary to develop the Beaver Dam, Cane, and Toxaway watershed projects in Oconee County under such agreements as may be made with the United States or its agencies by the Oconee County Soil Conservation Association. Rules and regulations to carry out the provisions of this act shall be approved by the county attorney. *Provided*, that all rights of way and easements necessary in the construction, development and maintenance of such watersheds shall first be obtained by gift or voluntary conveyance by the landowners and no part of the proceeds of any loan or advancement by Oconee County shall be used in the purchase or acquisition of such rights of easements.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1382, H2682)

No. 1324

An Act To Provide For The Levy Of Taxes And Make Appropriations In Oconee County For School And County Purposes; To Provide For The Borrowing Of Money In Anticipation Of The Collection Of Taxes; And To Make Appropriations And Direct The Expenditure Thereof For The Fiscal Year Beginning July 1, 1964.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The Auditor of Oconee County is hereby authorized and directed to levy, with the approval of a majority of the legislative delegation, and the treasurer to collect, a sufficient millage on taxable property of Oconee County to meet ordinary county purposes herein appropriated for the year beginning July 1, 1964, and ending June 30, 1965, and a sufficient levy for the payment of any outstanding bonded indebtedness.

SECTION 2. From the General Fund of the county and the revenue derived under the provisions of Section 1 of this act, the following appropriations are hereby made, to be expended in conformity with the directions herein specified.

Item 1.

A-1. Chain Gang\$ 22,000.00

A-2. Roads, Bridges, Rock Crusher, labor and replacement of parts, trucks and machinery 130,000.00

The above amount shall come from any surplus gasoline tax and the General Fund of the county. *Provided*, that \$15,000.00 of the \$130,000.00 is prorated for services and materials used in incorporated towns of Oconee County. The funds shall be prorated between municipal corporations of Oconee County according to the assessed valuation; *provided*, further, no municipal corporation shall receive less than \$800.00 regardless of assessment.

A-3. Payment of new equipment 20,000.00

B. Road Bonds and Interest 30,000.00

So much of the gasoline tax fund derived from the one-cent gasoline tax received by the county, as shall be necessary to repay the principal and interest on road bonds due and payable in the fiscal year 1964-1965, shall be set aside monthly by the Treasurer of Oconee County to anticipate the payment of the principal and interest in the amount listed above.

C. Paved Roads and resurfacing old paved roads .. 65,000.00

Provided, each and every road paved shall be set up by project number, and it shall be the duty of the Supervisor to see that proper records are kept on each project, showing expenditures and to what purposes. \$10,000.00 of the surplus gas tax shall be applied to this account.

Item 2.

A. Operation and maintenance of county farm to include salary of steward and matron and purchases that may become necessary\$ 11,000.00

Provided, when other facilities become available, this account shall be closed.

The appropriation made in Item 1 and Item 2 shall be expended as may be necessary by the supervisor and county board of commissioners to the purposes above-mentioned in an economical and

businesslike manner, and to that end the following procedure shall be observed:

a. The supervisor and members of the board of commissioners are expressly charged with the duty of limiting the expenditures to one-fourth of the annual appropriation in any three-month period, with the exception of Item 1-C, Paved Roads, which shall be limited to a six months' period, and any obligation in excess thereof shall be null and void and shall not be an obligation of the county. Failure to comply with this provision shall constitute negligence of office.

b. All salaries and wages of employees which come under the jurisdiction of the county supervisor, and the salaries and wages which come under the jurisdiction of the county board of commissioners, shall be fixed before any such employment may be effective. The supervision of all employees covered by Item 1 and Item 2 shall be the sole responsibility of the supervisor.

c. All purchases of supplies, materials, lumber, gas and oils, and machinery shall be made by the supervisor and board of commissioners after public advertisement for at least ten days or advertisement in two issues of a newspaper published in Oconee County, and purchases shall be made on a basis of economies effected and distribution of contract among suppliers.

d. Food purchases for Item 1 and Item 2 shall be purchased from wholesale companies in Oconee County where possible.

e. Emergency purchases not to exceed eight hundred dollars may be made by the county supervisor without bids and advertisement. *Provided*, that in such cases where machinery or equipment is in need of repair and idle that the same may be repaired by the supervisor without bids.

Item 3. Salaries:

A. Clerk of Court	\$ 5,460.00
1st Clerk	3,570.00
2nd Clerk	3,570.00
3rd Clerk	3,150.00
Office Supplies	6,000.00
B. Treasurer	1,787.10
Clerk	3,465.00
Extra Clerical Hire	800.00
Office Supplies	1,700.00

C. Auditor	1,787.10
1st Clerk	3,150.00
2nd Clerk	2,940.00
Office Supplies	800.00
D. Supervisor	5,775.00
Clerk	3,570.00
Office Supplies	1,000.00
E. Judge of Probate	4,515.00
Clerk	3,360.00
Office Supplies	1,800.00
Extra Special Hearing Clerk	300.00
F. Comptroller	5,040.00
Clerk	3,570.00
Office Supplies	400.00
G. County Physician	900.00
H. County Attorney	900.00
<i>Provided</i> , that additional compensation shall be authorized by the supervisor and county board of commissioners in litigation, to be paid from the contingent fund.	
I. Coroner	1,500.00
Travel	250.00
Office Supplies	50.00
J. Custodian of courthouse and county offices	3,310.00
K. Members Board of Commissioners Salary, five at \$600.00 each	3,000.00
Travel, five at \$600.00 each	3,000.00
<i>Provided</i> , travel is done in own vehicles at own expense and not in county vehicles.	
L. Tax Collector	5,040.00
Travel	360.00
Clerk	3,360.00
Office Supplies	600.00
M. Law Enforcement:	
Sheriff's salary	5,775.00
Chief Deputy Sheriff, salary	4,620.00
7 Deputies at \$4,410.00 each	30,870.00
Uniforms, Sheriff and Deputies, 8 at \$200.00 each	1,600.00

Provided, that uniforms shall be purchased by the Sheriff's Department and shall be signed for and shall remain the property of Oconee County. *Provided*, further, that within one year after the employment of any Deputy Sheriff, he must attend and graduate from the Law Enforcement School for Officers.

Gasoline	4,000.00
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Provided, all fees accruing to the Sheriff and Deputies shall be returned to the General Fund of the county.

Clerk	2,940.00
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Maintenance	5,500.00
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Purchase and repair of automobiles for Sheriff and Deputies; *provided*, one new car is purchased each year.

Jailors	4,620.00
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Salaries to be set by Sheriff.

Industrial Constables	4,600.00
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Industrial Constables, travel	1,400.00
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Such constables shall work in cooperation with the sheriff's office.

Magistrate's Constable, Seneca	1,500.00
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Office Supplies	500.00
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N. Magistrates:

Seneca	1,300.00
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Walhalla	1,300.00
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Westminster	1,300.00
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Salem	750.00
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Oakway	750.00
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Office Supplies	150.00
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To be approved by County Comptroller prior to purchase, no magistrate to use over \$30.00 each.

O. Miscellaneous:

Home Demonstration Stenographer supplement	1,600.00
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Farm Agent Stenographer supplement	1,140.00
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Supplement to Clerical assistant to Probation Officer	300.00
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- Item 4. Boards:
- A. Board of Tax Appeals\$ 300.00
Board of Assessors to be paid from the General Contingent Fund with the approval of the delegation.
 - B. Sinking Fund Commission, 3 members at \$50.00 each 150.00
- Item 5. Contributions:
- A. Supplies and telephone, Home Demonstration Agent\$ 200.00
 - B. Supplies, Farm Agent 100.00
 - C. Boys' 4-H Club Work 150.00
 - D. Girls' 4-H Club Work 150.00
 - E. Future Farmers Chapter 100.00
 - F. Junior Homemakers Chapter 100.00
 - G. Maintenance 4-H Club Center 300.00
 - H. Travel for 2 fire wardens at \$550.00 each 1,100.00
- Item 6. Oconee County Library Commission\$ 23,500.00
- Item 7. Juvenile and Domestic Relations Court\$ 7,500.00
To Judge's Salary, clerical help and supplies. To be expended by the approval of the legislative delegation.
- Item 8. Court Expense\$ 10,000.00
- A. *Provided*, petit jurors and grand jurors shall be paid seven dollars per day, and witnesses one dollar per day in actual attendance.
 - B. Magistrate and coroner jurors shall be paid one dollar per day.
- Item 9. Operating of jail, including feeding prisoners ..\$ 5,500.00
(Upon presentation of itemized and notarized claims to include kitchen supervisor)
Purchases, other than food, to be made by Supervisor.
- Item 10. Public Welfare:
- A. Emergency Relief\$ 5,000.00
Provided, that no more than fifty per cent shall be expended in any one quarter. *Provided*, further, that no more than fifty per cent shall be expended in six months.

- B. Board of Public Welfare, 3 members at \$60.00 each 180.00
- C. Travel for Child Welfare Worker 900.00
- Item 11. Lunacy and Inquest\$ 1,200.00
- Item 12. Public buildings, upkeep and maintenance (all purchases to be made by the Supervisor)\$ 10,000.00
- Item 13. Books, printing, postage, etc., as specified in Office Supplies. *Provided*, that no office equipment shall be purchased with these funds.
- Item 14. Bond premiums and insurance\$ 6,500.00
- Item 15. Telephone account\$ 2,500.00
Provided, a monthly itemized statement shall be rendered showing the necessity for each long distance toll charge.
- Item 16. County Health Unit\$ 17,000.00
- Item 17. County Planning Board\$ 9,000.00
Provided, that \$500.00 shall be used for development and restoration of historical sites.
- Item 18. County Service Officer, county's part\$ 4,080.00
- Item 19. County Hospital\$ 5,000.00
- Item 20. Contingent Fund\$ 10,000.00
Provided, that this fund shall be expended only upon the written approval of a majority of the legislative delegation.
- Item 21. General Contingent\$ 7,500.00
Provided, that rentals, magistrates' telephones and miscellaneous obligations, including an annual audit of books and records of Oconee County shall be paid therefrom.
- Item 22. National Defense:
Seneca Unit\$ 1,000.00
Clemson Unit 300.00
- Item 23. Retirement and Social Security, county's part ..\$ 20,000.00
- Item 24. Law Enforcement Travel—out of county travel \$ 1,000.00
The Sheriff or his Deputies, when on necessary official duty beyond the limits of the county, shall be paid actual expenses, not to exceed ten dollars per day. Before being paid, he shall present

itemized and notarized vouchers for mileage and receipted bills for expenses.

- Item 25. Artificial Insemination Program\$ 2,000.00
Provided, this fund shall be disbursed upon approval of the Board of Directors of the Oconee County Artificial Insemination Organization.
- Item 26. Soil Conservation\$ 1,500.00
Provided, that such funds shall be used only in the maintenance and operation of The Coneross Watershed project.
- Item 27. Civil Defense\$ 2,500.00
To be expended upon the approval of the legislative delegation.
- Item 28. Rural Fire Control Commission\$ 2,000.00
To be expended upon the approval of the legislative delegation.
- Item 29. Tri-County Mental Health Commission\$ 5,000.00
- Item 30. Tri-County Technical Education Center\$ 6,500.00

TOTAL\$614,104.20

Estimated Revenue Other Than Taxes:

Gasoline Tax	\$120,000.00
Alcoholic Liquor Tax	35,000.00
Beer and Wine Tax	10,000.00
Bank Tax	3,000.00
Insurance License Fees	17,000.00
Income Tax	40,000.00
National Forest Fund	23,000.00
Magistrate Fines	32,000.00
Judge of Probate, fees	2,500.00
Clerk of Court	27,500.00
Other fees and forfeitures	5,000.00

TOTAL\$315,000.00

Amount to be raised by taxes\$299,104.20

SECTION 3. The board of commissioners shall include the supervisor wherever the term board of commissioners is used in the appropriations act.

SECTION 4. A tax of forty-four mills is hereby laid upon all taxable property of Oconee County for general school purposes, and the Auditor of Oconee County is hereby authorized and directed to levy the tax laid, and the treasurer is required to collect the revenues arising therefrom, and the revenues shall be used by the Oconee County Board of Trustees of the School District of Oconee County for administration, the supplementation of teachers' salaries, maintenance and operation of all schools located in the School District of Oconee County. *Provided*, that one mill shall be used for the community school program.

SECTION 5. The Auditor of Oconee County is hereby directed to prepare a tax return for each automobile in Oconee County as reported by the South Carolina Highway Department from vehicle registration. The Auditor, Treasurer and Tax Collector of Oconee County are further enjoined to adopt such procedures and methods as shall assist the taxpayers and South Carolina Highway Department in complying with the acts of the General Assembly providing for the payment of property tax on motor vehicles before issuance of registration and license by the South Carolina Highway Department.

SECTION 6. The tax collector shall assist the auditor wherever possible in returning any property for taxation not otherwise returned or where individuals or firms have failed to make returns.

SECTION 7. No fund shall be transferred from one account to another without the written consent of the Oconee County Legislative Delegation. The legislative delegation is hereby empowered to transfer from the general fund, or any fund of the county, and supplement any appropriation herein made, and the treasurer, the board of commissioners, and comptroller of the county shall honor such transfers and comply with the terms thereof.

SECTION 8. The board of commissioners shall see that proper records are kept of the chain gang, showing all expenditures and for what purposes, also the number of convicts of the chain gang each day, number received and dismissed, with their names, also kind of work being done by convicts. It shall be the duty of the board of commissioners to see that proper records are kept of all the operations of the county farm, showing all expenditures and receipts, total number of acres being farmed and the market value of all

commodities produced. The board of commissioners is hereby requested to inspect all county buildings, including county home, jail and chain gang each month to see that they are kept in a clean and sanitary condition. The board of commissioners shall inspect all highway construction and see that all work is being done properly. It shall be the duty of the board of commissioners to keep a complete record (pertaining to Item 1, A-2) showing allocations to each incorporated town, expenditures and to what purpose.

SECTION 9. The supervisor shall furnish to the board of commissioners an accurate inventory of all supplies and materials and parts. Such inventory shall be made on the first day of each month. The board of commissioners shall use such inventory as a guide for purchasing.

SECTION 10. All past transfers of funds by order of the members of the previous and present legislative delegation are hereby validated and confirmed.

SECTION 11. The Treasurer and Board of Commissioners of Oconee County are hereby authorized and empowered, if need be, to borrow in the name of the county an amount not to exceed fifty per cent of the appropriation herein made, and in anticipation of the collection of taxes to meet the operating expenses of the county for the current fiscal year July 1, 1964, to June 30, 1965, and to execute obligations in the name of the county for the sum so borrowed, which shall bear the lowest rate of interest possible. The taxes levied to meet the appropriations of this act shall be pledged to secure payment of the sum so borrowed, with interest thereon, and such obligation shall be executed by the county treasurer and the board of commissioners. Each bank in Oconee County shall be allowed to submit a bid for the total or any portion of the amounts herein authorized to be borrowed; and the officers are empowered to reject any and all bids made therefor.

SECTION 12. The treasurer, upon written request of the county board of education, is hereby empowered and authorized, if need be, to borrow in the name of the schools an amount not to exceed fifty per cent of the appropriation herein made and in anticipation of the collection of taxes to meet the operating expenses of the schools for the current fiscal year July 1, 1964 to June 30, 1965, and to execute obligations in the name of the schools for the sum

so borrowed, which shall bear the lowest rate of interest possible. The tax levied to meet the appropriations of this act shall be pledged to secure payment of the sum so borrowed, with interest thereon, and such obligations shall be executed by the county treasurer and county board of education. Each bank in Oconee County shall be allowed to submit a bid for the total or any portion of the amounts herein authorized to be borrowed; and the officers are empowered to reject any or all bids made therefor.

SECTION 13. The treasurer, upon written request of the county board of education, is hereby authorized and empowered, if need be, to transfer to school transportation account and to school teacher salary account, from the General Fund of the county, not to exceed fifty per cent of the appropriation herein made, in anticipation of the collection of taxes to meet the operating expenses of the schools. Upon the collection of the taxes levied for the operation of schools, the sums so transferred shall be refunded to the General Fund of the county.

SECTION 14. The treasurer, upon written request of the county board of commissioners, is hereby authorized and empowered, if need be, to transfer to the General Fund of the county school funds, not to exceed fifty per cent of the appropriation herein made in the anticipation of the collection of taxes to meet the operating expenses of the county. Upon collection of the taxes levied for ordinary county purposes, the sums so transferred shall be refunded to the school funds of the county.

SECTION 15. The county superintendent of education, or officer designated by the board of trustees, is authorized to approve claims for teachers' salaries and transportation, and the Treasurer of Oconee County is authorized to pay same from any school fund in anticipation of the receipts of monthly State aid and transportation; *provided*, such claims do not exceed fifty per cent of anticipated monthly State aid and transportation; and *provided*, such payments do not exceed fifty per cent of the total amount of school funds on deposit in the banks of Oconee County.

SECTION 16. Before purchase or contracting for the purchase of any equipment, materials, supplies, goods, wares, merchandise, services or anything whatsoever needed and used for county purposes, such department head or heads, not to include the superintendent

of education, shall make requisition by order or voucher to the county comptroller's office whereupon it must be certified as to the availability of funds before any purchase is made. Petty cash funds are hereby authorized if such be necessary to carry out this section.

SECTION 17. When such purchasing or placing of orders is made, the equipment, materials, goods, wares, merchandise or services needed shall be purchased from firms or individuals within this State whenever such firms or individuals are reliable and offer equipment, materials, goods, wares, merchandise or services of equal quality and specifications with like goods from outside of the State and at a price equal to or less than the price submitted by such nonresident bidders.

SECTION 18. All claims for supplies and services furnished to the county during any calendar month shall be paid on the sixth day of each month. If this date should fall on a holiday, claims will be paid the following day. Should the sixth day of the month fall on Saturday or Sunday, claims will be paid the following Monday. All claims against the county must be passed on by the comptroller as to the availability of the funds for the payment of same. The county comptroller and the board of commissioners shall at all times maintain in their respective offices a list of all claims paid during the preceding month, showing the payee and the amount, and the records shall at all times be subject to public inspection.

SECTION 19. The appropriation herein made shall not be exceeded and any officer incurring indebtedness on the part of the county in excess of the appropriation herein made shall be liable upon his official bond therefor. Any claims presented to the county for payment and remaining unpaid after the monthly meetings of the board of commissioners shall be listed by the clerk and reported to the treasurer and comptroller within ten days. If no claims remain unpaid, the clerk shall so report.

SECTION 20. No employee of the county shall sell any services, or materials, or hold any office that shall conflict with the hours for which they receive pay from the county or in the performance of their official duties, except that a department or agency may at its own discretion grant a leave of absence for the period of such conflict. *Provided*, in case of such a leave of absence the department granting the leave of absence shall employ a qualified substitute for the dura-

tion of the leave of absence. All county offices shall be open during lunch hour except in an emergency. As to holidays, the county offices may close on days legally observed by the State.

SECTION 21. All recipients of county funds who are not a part of the county government, namely: Farm Agent; Home Agent; Boys' 4-H Club; Girls' 4-H Club; Future Farmers; Junior Homemakers Club; Oconee Hospital; Planning Board; Artificial Insemination; National Defense, Clemson and Seneca Units; and Soil Conservation Board shall furnish an itemized statement of the money spent from the appropriation to that organization. This statement shall be filed with the county board of commissioners and delegation no later than thirty days following the end of the fiscal year.

SECTION 22. Salaries for ordinary clerical employment shall be based on the following schedule:

Beginning or probationary period	\$ 2,730.00
After six months service	2,940.00
After 2 years service	3,150.00
After 5 years service	3,360.00
After 8 years service	3,465.00
After 10 years service	3,570.00

The term service shall mean continuous employment except upon official leave of absence granted by the department head.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R718, H2011)

No. 1325

An Act To Make A Supplemental Appropriation For The Fiscal Year 1963-1964 From The General Fund Of Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriation for the fiscal year 1963-1964 is made from the general fund of Orangeburg County:

County Health Work	\$ 7,374.94
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SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 3rd day of February, 1964.

(R744, S575)

No. 1326.

An Act To Revoke The Purported Dedication Of A Certain Unopened Street In The Town Of Rowesville.

Whereas, by that certain plat dated February 7, 1905, recorded in the office of the Clerk of Court for Orangeburg County, in Plat Book 12, at page 147, there is shown a "Church Street" extending northward from Main Street in the Town of Rowesville; and

Whereas, this street has never been opened or used, and the revocation of any dedication of the street will in no way interfere with the rights of any person. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain property in Town of Rowesville not to be a public way.—The designation of that certain strip of land in the Town of Rowesville as "Church Street" by that certain plat recorded in the office of the Clerk of Court for Orangeburg County, in Plat Book 12, at page 147, is hereby declared to not constitute a dedication of that land as a public way; and fee simple ownership of the land is confirmed in the abutting landowners, which ownership shall in no way be burdened by a public easement as purportedly shown on the plat.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R745, S576)

No. 1327

An Act To Authorize The Delinquent Tax Collector Of Orangeburg County To Execute Quit Claim Deeds In Behalf Of The Cow Castle Drainage Commission Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Execution of quit claim deeds for Cow Castle Drainage Commission.—The Delinquent Tax Collector of Orangeburg County may execute quit claim deeds in behalf of the Cow Castle Drainage Commission upon the payment of any delinquent Cow Castle Drainage assessments so as to clear the title to the properties which have been by court decree vested in the Cow Castle Drainage Commission.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R760, H2103)

No. 1328

An Act To Authorize The Trustees Of Holly Hill School District No. 3 Of Orangeburg County To Borrow Not Exceeding Seventy-five Thousand Dollars, Or The Constitutional Limit, For The Purpose Of Constructing Sixteen Additional Classrooms, And To Provide For The Payment Of The Indebtedness.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Holly Hill School District 3 may borrow money.—The trustees of Holly Hill School District No. 3 of Orangeburg County are authorized to borrow not exceeding seventy-five thousand dollars, or the constitutional debt limit applicable to the district, for the purpose of constructing sixteen additional classrooms. The amount borrowed shall be evidenced by a note or notes executed by the members of the board of trustees of the school district, and shall bear interest at a rate not exceeding four per cent per annum. The payment of the principal shall be in ten annual, equal, successive installments.

SECTION 2. Payment.—For the payment of the principal and interest of the note or notes, the full faith, credit and taxing powers of the district are irrevocably pledged and there shall be levied annually by the Auditor of Orangeburg County, and collected by the Treasurer, in the same manner as other taxes are levied and collected, a tax without limit on all the taxable property within the school district sufficient to pay the principal and interest as they respectively become due.

SECTION 3. Exempt from taxes.—The note or notes issued under this act shall be exempt from all State, county, municipal, school district and other taxes.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R921, H2354)

No. 1329

An Act To Authorize The Board Of Trustees Of School District No. 7 Of Orangeburg County To Borrow Seven Thousand Dollars For School Purposes, And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. School District 7 may borrow money.—The Board of Trustees of School District No. 7 is authorized to borrow seven thousand dollars for school purposes. The amount shall be evidenced by a note executed by the chairman of the board and the treasurer of the county. The note shall bear interest at a rate not to exceed five per cent per annum, and shall be paid in annual installments not to exceed five years.

SECTION 2. Payment.—For the payment of the note the auditor and the treasurer of the county shall respectively levy and collect an annual tax on all the taxable property of the district sufficient to retire the loan and interest thereon. The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should the money be borrowed from the Division of Sinking Funds and Property and should there be default in any payment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such indebtedness, and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R955, H2378)

No. 1330**A Joint Resolution To Create The Orangeburg County Confederate War Centennial Commission.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Orangeburg County Confederate War Centennial Commission created.—There is hereby created the Orangeburg County Confederate War Centennial Commission to be composed of nine members to be appointed by a majority of the Orangeburg County Legislative Delegation, including the Senator. The commission, upon being appointed, shall meet and elect a chairman, secretary-treasurer, and such other officers as are deemed necessary. The members of the commission shall serve without compensation.

SECTION 2. Duties.—It shall be the duty of the commission to prepare programs and plans commemorating events of historical significance and interest relating to the War Between the States. The commission may cooperate with any other group or agency in carrying out such programs and plans and may solicit donations, accept gifts and grants, print and sell historical pamphlets and may do such other things as it deems necessary to carry out the purposes of this resolution. *Provided*, however, that the commission shall have no authority to bind or obligate Orangeburg County financially or in any other way.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1964.

(R966, H2375)

No. 1331

An Act Providing For The Creation Of Watershed Conservation Districts In Orangeburg County; Providing For The Election Of Directors Of Watershed Conservation Districts And Prescribing Their Powers And Duties; Providing For A Levy Of Taxes For The Organization And Administration Of The Districts; And Providing For The Construction, Operation And Maintenance Of Works Of Improvement Within The Districts.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the Governing Body of the Orangeburg Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Orangeburg County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed conservation districts may be formed in Orangeburg County.—Authority is hereby granted to form watershed conservation districts within Orangeburg County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. The petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after the petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety and welfare, of the creation of a watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit the inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and a further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and

bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after a hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record the determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is a need, in the interest of public health, safety and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. The notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the referendum and announce the results. The cost of holding the referendum shall be paid from the General Fund of Orangeburg County.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For creation of Watershed Conservation District”

“Against creation of Watershed Conservation District”

A square shall follow each proposition. The ballot shall contain a direction to insert an “X” mark in the square following one or the other of the propositions as the voter may favor or oppose creation of

the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results, along with the ballots, shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of the district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of the district is administratively practicable and feasible, they shall record the determination and shall proceed with the organization of the district in the manner hereinafter set forth; *provided*, however, that the supervisors shall not have authority to determine that the operation of the district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of the district shall have been cast in favor of the creation of the district. If the supervisors shall determine that the operation of the district is administratively practicable and feasible, they shall certify the determination to the Clerk of Court of Orangeburg County and to the Secretary of State. Upon proper recordation of the determination, the watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.

—(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of the landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6, and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, upon the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years.

(5) The directors shall annually designate from among their number a chairman, secretary and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. The bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and the district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to the others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148 of the 1962 Code, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of the district, and if promissory notes are issued, to execute mortgages on any property owned by the district, or assign or pledge the revenues or assessments of the district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of the district.

The levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

SECTION 11. Bonds not to be issued unless referendum held.—

(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of any bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on the proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in the referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue the bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of the budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of the budget shall be certified to the Auditor of Orangeburg County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district, with the assistance of the county auditor, shall prepare a list of the landowners involved, showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interests as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of the funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe the lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that the lands shall be detached, the determination shall be certified to the Auditor of Orangeburg County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization

of a watershed conservation district, twenty-five or more landowners within the district, or, if less than fifty landowners are involved, a majority of the landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct the hearings upon the petition as may be necessary to assist them in the consideration.

(2) Within sixty days after the petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold the referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the Watershed Conservation District," and "Against terminating the existence of the Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of the watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record the determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record the determination and shall certify the determination to the directors of the watershed conservation district; *provided*, however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible

unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Orangeburg County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—If the Orangeburg Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the Governing Body of Orangeburg County.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R1114, H2490)

No. 1332

An Act To Provide For The Operation Of Orangeburg County And The Welfare Of Its People During The Period From July 1, 1964, To June 30, 1965; To Direct County Activities; And To Levy Taxes For School Purposes And To Regulate Expenditures Of School And County Funds During The Period.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. For all county purposes and for the operation of Orangeburg County during the period beginning July 1, 1964, and ending June 30, 1965, the amounts stated herein are hereby appropriated; and there is hereby levied for the fiscal year 1964-1965 eight mills on all property in the county which, with other revenues accruing to the ordinary county fund, shall be used to pay amounts appropriated as follows:

Roads and Bridges:

1. Maintenance of chain gang, purchase material, equipment and expense of maintenance of roads, bridges, public works and operation of pipe plant\$195,000.00

Total, Roads and Bridges\$195,000.00

County Highway Commission:

- 4-A. Salary, members of Highway Commission\$ 5,775.00
- 4-B. Salary, clerk of Highway Commission 4,158.00
- 4-C. Salary, County Attorney 1,260.00

Provided, that the salary shall cover all services rendered the county except in actions in tort against the county.

Provided, further, that no other attorney shall be employed except with the approval of the county legislative delegation.

- 4-D. Salary, County Director 8,700.00
- 4-E. Extra clerical help, Highway Commission 1,575.00

Total, County Highway Commission\$ 21,468.00

County Treasurer:

- 10-A. County's portion, salary, County Treasurer\$ 3,520.00
- Provided*, that the county shall pay so much as will make his salary from county and State total \$7,500.00.

- 10-B. Salary, Deputy, County Treasurer 5,775.00
- 10-C. Clerical help, Treasurer's office 3,420.00
- 10-D. Extra help 1,050.00

Total, County Treasurer's office\$ 13,765.00

County Auditor:

- 15-A. County's portion, salary, County Auditor\$ 3,520.00
- Provided*, that the county shall pay so much as will make his salary from the county and State total \$7,500.00.

- 15-B. Salary, Deputy Auditor 5,775.00
- 15-C. Clerical help, Auditor's office 5,386.90
- 15-D. Traveling expenses, County Auditor 100.00
- 15-E. Auditor's equalization fund 1,500.00

15-F. Extra Assistance Auditor's office, to be expended
upon approval of the majority of the legislative
delegation 1,113.10

Total, County Auditor\$ 17,395.00

Clerk of Court:

25-A. Salary, Clerk of Court\$ 7,500.00
25-B. Salary, Deputy Clerk of Court 5,775.00
25-C. Salary, clerk, Clerk of Court 2,938.00
25-D. Recording clerk in office of Clerk of Court 3,465.00

Total, Clerk of Court\$ 19,678.00

Education Department:

30-A. Superintendent of Education, office expense\$ 600.00
30-B. Salary, clerks to Superintendent of Education .. 5,876.00
30-C. Supplement County Lunch Room Supervisor .. 788.00
30-D. Superintendent of Education, county's portion of
salary 2,511.00
Provided, that only so much shall be paid as to
make a total salary from the county and State of
\$7,500.00.
30-E. Travel, Superintendent of Education 630.00
30-F. Per diem and travel, members County Board of
Education 4,000.00
30-G. Travel, Attendance Teacher 400.00
30-H. Secretary to County Lunch Room Supervisor .. 2,520.00
32-A. Eye treatment and glasses, needy school chil-
dren, to be spent under supervision of Attend-
ance Teacher 300.00

Total, Education Department\$ 17,625.00

Library Department:

34-A. Salary, Librarian\$ 3,780.00
34-B. Salary, Assistant Librarian 2,457.00
34-C. Salary, Assistant Librarian 2,100.00
34-D. Salary, Bookmobile Librarian 2,331.00
34-E. Salary, Bookmobile driver (part-time) 1,418.00
34-F. Salary, desk assistants (Main Library) 2,777.00
35-H. Salary, Librarian (Branch Library) 2,100.00
35-I. Salary, Assistant Librarian (Branch Library) .. 1,418.00

35-J. Salary, Bookmobile driver (Branch Library— part-time)	945.00
35-K. Salary, Custodian Holly Hill Library	368.00
35-L. Salary, Custodian Ellore Library	368.00
35-M. Books and periodicals	2,500.00
35-N. Supplies and binding expense	1,000.00
35-O. Travel, Library Commission	250.00
35-P. Bookmobile operation expense	700.00
35-Q. Miscellaneous expenses	1,200.00
35-S. Travel, Librarian	300.00

Total, Library Department \$ 26,012.00

Provided, that all funds appropriated herein for items 30-A through 35-S are appropriated directly to the Orangeburg County Board of Education to be expended and disbursed by the board in accordance with the provisions of this act.

Provided, further, that any funds donated by the South Carolina Library Board shall be used for the purchase of books and any funds donated by the City of Orangeburg, or otherwise received, shall be used for miscellaneous expenses. *Provided*, further, that appropriation for miscellaneous expenses provided under 35-Q may be used for telephone, telegraph, furniture and equipment, insurance, water and lights, heating, repairs, post office box rent and association meetings and dues. *Provided*, further, that the county director shall do the purchasing for the library and branch library except books, literature and minor items for the use in the maintenance thereof. *Provided*, further, that an itemized account of all receipts and disbursements of funds received other than from Orangeburg County shall be filed quarterly with the Orangeburg County Board of Education. *Provided*, further, that the sums set out hereinabove may be transferred by the County Board of Education to other designated items upon the written approval of the majority of the Orangeburg County Legislative Delegation.

Tax Collector:

39-A. Salary, Tax Collector	\$ 6,350.00
39-B. Clerk and bookkeeper to Tax Collector	3,150.00
39-C. Special Assistance Tax Collector's office, to be expended upon approval of the majority of the Legislative Delegation	1,850.00
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Total, Tax Collector's office	\$ 11,350.00

Law Enforcement:

40-A. Salary, Sheriff	\$ 7,500.00
40-B. Expense in and outside of county	2,100.00
40-C. Clerk	3,150.00
43-A. Salary, Jailor	2,938.00
43-B. Dieting prisoners	12,000.00
<i>Provided</i> , that the Sheriff shall be allowed one dollar per day for dieting each prisoner; <i>pro-</i> <i>vided</i> , however, that the day of admittance shall be excluded, and the day of discharge included in computing the number of prisoner days.	
43-C. Jail equipment, repairs, heating and miscellane- ous expense	4,000.00
46-B. Salary, eleven deputies @ \$3,780.00	41,580.00
46-C. Salary, Chief Deputy Sheriff	4,358.00
46-D. Travel, twelve Deputy Sheriffs @ \$2,760.00 ..	33,120.00
<i>Provided</i> , that the County Treasurer is author- ized to pay from 43-B claims of outside deputy sheriffs for feeding prisoners kept in their cus- tody between the time of their arrests and trans- fer to jail or discharge. The per diem allowed the Sheriff shall be followed and each claim shall be itemized and approved by the magistrate in whose jurisdiction the arrest was made.	
46-E. Purchase of uniforms and law enforcement equip- ment	3,400.00
46-F. Radio maintenance	3,600.00
46-G. Radio operator	1,670.00
46-H. Miscellaneous expense, Sheriff's office	500.00
46-I. Substitute Jailor	546.00
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Total, Law Enforcement\$120,462.00

Judicial Department:

50-A. Court expense\$ 11,000.00

Provided, the court bailiff shall receive five dollars per day; *provided*, the chief bailiff to be designated by the Sheriff shall receive six dollars per day. *Provided*, further, that ten dollars may be paid for each transcript of testimony at Coroner's inquests, upon the approval of the Coroner. *Provided*, further, that in the event any capital cases are appealed to the Supreme Court by lawyers appointed by the court to represent the defendant, the cost of printing record for appeal and brief for defense counsel shall be paid for from this item.

50-B. County audit, as contracted for by Orangeburg County Highway Commission, not to exceed .. 1,500.00

53-B. Salary, County Judge 12,200.00

53-C. Salary, stenographer for County Judge 4,620.00

53-D. Salary, court stenographer for county court work 1,050.00

53-E. Clerical help for Circuit Solicitor, to be drawn and disbursed by him 1,260.00

53-F. Travel, Probation Officer 480.00

54-A. Salary, Domestic Relations Court Judge (part-time) 5,198.00

54-B. Salary, stenographer, Domestic Relations Court 3,528.00

54-C. Salary, Probation Counselor, Domestic Relations Court 6,122.00

54-D. Travel, Probation Counselor, Domestic Relations Court 2,100.00

54-E. Law Library, County Judge 100.00

54-F. Miscellaneous expense, Domestic Relations Court 600.00

54-G. Rent for office, J. M. Brailsford, Supreme Court Justice 960.00

54-H. Clerical help—Circuit Judge 1,260.00

 Total, Judicial Department\$ 51,978.00

Probate Judge:

55-A. Salary, Judge of Probate\$ 7,500.00

55-B. Salary, Deputy Judge of Probate 4,620.00

55-C. Post mortems and lunacies 1,500.00

 Total, Judge of Probate\$ 13,620.00

Magistrates (part-time):

58-A. Salary, Magistrate at Orangeburg	\$ 3,465.00
58-B. Full time Stenographic service for Magistrate at Orangeburg	2,400.00
59-A. Salary, Magistrate at North	1,386.00
59-B. Salary, Magistrate at Branchville	1,386.00
59-C. Salary, Magistrate at Bowman	1,248.00
59-D. Salary, Magistrate at Holly Hill	1,386.00
59-E. Salary, Magistrate at Elloree	1,386.00
59-F. Salary, Magistrate at Springfield	1,248.00
59-G. Salary, Magistrate at Cope	1,386.00
59-H. Salary, Magistrate at Neeses	693.00
59-I. Salary, Magistrate at Norway	1,248.00
59-J. Salary, Magistrate at Eutawville	1,248.00

Total, Magistrates\$ 18,480.00

County Health Work\$ 38,155.00

60-A. Rabies Control Officer 3,150.00

Total, County Health Work\$ 41,305.00

Provided, that such sum of money shall supplement the allotment to Orangeburg County by the State Health Department and the budget of the Health Department shall be approved by the Orangeburg County Legislative Delegation. Any unexpended funds remaining at the end of the fiscal year shall revert to the general fund of the county. *Provided*, further, the rabies control program shall be under the supervision and control of the county health officer.

Farm and Home Demonstration Department:

65-A. Office expense, Farm Demonstration Agent ..	\$ 300.00
65-B. Salary supplement, Farm Demonstration Agent assistants (part)	1,134.00
65-C. Supplementary stenographic service, Farm (\$945.00) and Home (\$1,260.00) Demonstra- tion Agents	2,205.00
65-D. Salary supplement, Home Demonstration Agent	294.00
65-D-1. Supplies for Home Demonstration Agent	75.00
65-D-2. Salary supplement, Assistant Home Demonstra- tion Agent	294.00

65-E. Salary supplement, Farm Demonstration Agent	1,365.00
65-F. Boys' 4-H Club	100.00
65-G. Girls' 4-H Club	100.00
65-H. Home Demonstration Club Work	50.00
65-I. Salary supplement, Negro Demonstration Agent (part)	1,050.00
65-J. Salary and expense, assistant to Negro Farm Demonstration Agent	3,234.00
65-K. Negro Home Demonstration Agent, part salary	894.00
65-L. Expense, Negro Home Demonstration Agent ..	180.00
65-M. Expense, Negro Farm Demonstration Agent ..	240.00
65-N. Negro Fair Association	300.00
65-O. Negro Boys' 4-H Club	100.00
65-P. Stenographer, Negro Farm and Home Demon- stration Agents	2,400.00
65-Q. Negro 4-H Girls' Club	100.00
65-R. New Homemakers' Club	100.00
65-S. Rent, Negro Farm and Home Demonstration office	600.00

Total, Farm and Home Demonstration Depart-
ment\$ 15,115.00

Social Service:

- 70-A. Relief for the needy under the supervision of De-
partment of Public Welfare\$ 4,500.00
Such sum to be advanced to County Welfare De-
partment quarterly and, at the end of each quar-
ter period, the county legislative delegation shall
be furnished a statement showing how such
money was spent.
- 70-B. Hospital aid for charity patients 30,000.00
Provided, such sum of money shall be paid to the
Orangeburg Hospital at Orangeburg in quarterly
payments and, before such payments are made,
the hospital shall furnish to the Orangeburg
County Highway Commission a statement show-
ing the number of charity patients treated, and
the number of days such patients were treated
during the preceding quarter, and not more than
thirty per cent of the total appropriation shall be
drawn for any one quarter of the fiscal year.

Provided, further, that the officials of the hospital shall have the right to enlist the assistance of the Orangeburg County Department of Public Welfare in investigating the financial standing of any person applying for assistance under the provisions of this section. *Provided*, further, that not more than seven dollars and fifty cents per day shall be payable from county for care of any patient.

70-C. County Welfare Department, petty cash	600.00
72-A. Salvation Army	600.00
73-A. Children's nursery at Orangeburg	600.00
73-F. Colored children's work	180.00
73-H. Sunlight Club, for aid in county	600.00

Total, Social Service	\$ 37,080.00
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Miscellaneous Expenses and Services:

75-A. Salary of Coroner (part-time)	\$ 762.00
75-B. Travel of Coroner @ \$25.00 per month	300.00
75-C. Payment of Coroner's juries at rate of two dollars for each member	400.00
75-D. Orangeburg County Planning and Development Commission	10,000.00
<i>Provided</i> , that the Orangeburg County Planning and Development Commission may draw the above amount and deposit the proceeds in its own bank account to carry on the duties prescribed for it by law.	
75-E. Salary, Service Officer	6,350.00
<i>Provided</i> , that his full time is given to the duties of his office.	
75-F. Stenographer for Service Officer	3,150.00
75-G. Expenses, Service Officer	1,800.00
<i>Provided</i> , that he be furnished an office in the courthouse.	
75-H. Salary, members of Board of Registration	1,365.00
<i>Provided</i> , the chairman shall receive a salary of \$525.00 from county appropriation.	
75-I. Expense, local South Carolina National Guard units	500.00

75-J. Expense, Civil Defense 500.00

Total, Miscellaneous Expenses and Services ..\$ 25,127.00

General Expense:

80-A. Stationery, books, office supplies, equipment,
printing, postage and advertising\$ 20,000.00
80-B. Insurance on public buildings 2,500.00
80-C. Premiums on bonds of county officials 1,050.00
80-D. Courthouse, expenses, including fuel, utilities,
water, supplies, telephones, etc. 16,500.00
80-E. Part-time clerical help, Orangeburg Soil Con-
servation District 1,560.00
80-H. Janitor service, Courthouse 2,426.00
80-I. Janitors, office building 1,132.00
80-J. Janitors, County Health Center 1,733.00
80-K. To match funds of county officers and employees
for retirement purposes and Social Security .. 25,000.00
80-L. Workmen's Compensation Coverage 3,000.00
80-N. To supplement funds, county officers and em-
ployees—group insurance 8,200.00
80-T. Secretary to Delegation (salary) 315.00

Total, General Expense\$ 83,416.00

Contingent Fund:

85-A. Contingent expenses\$ 25,000.00
Provided, that the expenditures from this item
shall be approved by the county legislative dele-
gation.

Total, Contingent Fund\$ 25,000.00

Transitory Expenditures:

90-G. For heat, water and expenses of curb market ..\$ 180.00
Provided, this amount shall be paid monthly to
the secretary.

Total, Transitory Expenses\$ 180.00

TOTAL FOR OPERATING EXPENSES ..\$754,056.00

SECTION 2. The sums herein appropriated for the specific purposes under the several items herein are the maximum amounts which shall be expended for the respective purposes and no warrant shall be issued in excess of such amounts, nor shall any indebtedness be incurred which in the aggregate exceeds the amounts provided for each item, and the Treasurer of Orangeburg County is prohibited from paying any warrant which exceeds such sums; *provided*, that no money shall be spent otherwise than is specifically authorized by this act or the legislative delegation, as provided herein, and all unexpended balances not otherwise directed in this act shall be placed to the credit of the general county fund.

SECTION 3. The sums hereinabove appropriated shall only be used if so much be necessary and when not otherwise provided. Salaries and expenses, where combined in the same item, shall be paid monthly without requiring expenses to be itemized. *Provided*, that where expenses are provided as a separate item they shall not be paid except upon sworn itemized statements of the same. Travel paid for by the county shall be at the rate of nine cents per mile except that, when a public conveyance is used, only the actual cost of the transportation shall be paid.

SECTION 4. All sums received by the county treasurer from the officers formerly receiving fees in Orangeburg County shall be credited to the general county fund, and the treasurer shall keep a separate record of the monthly remittance from each such officer. *Provided*, that whenever any fees are due to any county officers by reason of work or service done for the county and, where the fees required by law to be paid would have to be paid by the county, the various county officers heretofore entitled to charge fees are instructed and authorized to perform such services and do such work without requiring the payment of such fees. *Provided*, however, each officer shall make a record of such work or service performed for the benefit of the county and file a statement of same with the county treasurer in making his monthly statement.

SECTION 5. Whenever reference is made in this act, or any other legislation, to any action of or by the legislative delegation, the same means the joint approval, agreement or order of the Senator and one-half of the Representatives of Orangeburg County in the General Assembly holding office at the time of such instructions.

SECTION 6. No portion of the funds hereby appropriated shall be used to pay for public liability insurance on any motor vehicle owned by Orangeburg County. The appropriation for Contingent Expenses may be used by the Orangeburg County Highway Commission to pay any deficit arising by reason of claims under items 30-F, 43-B, 43-C, 50-A, 55-C, 80-A, 80-D, 80-K and 80-L, in case the specific appropriations therefor shall be exhausted.

SECTION 7. Upon written authorization of the Legislative Delegation from Orangeburg County, the Orangeburg County Highway Commission shall make the necessary repairs and improvements to the public buildings owned by the county, and the expense thereof shall be paid from the ordinary funds of the county.

SECTION 8. The county service officers, the attendance teacher, each outside deputy sheriff, the county health director, the county forestry ranger and county rabies control officer shall prepare written reports quarterly as to their activities and services, sending a copy to each member of the county legislative delegation.

SECTION 9. Jurors in the circuit and county courts shall be paid a per diem of five dollars for each day of attendance upon any court session.

SECTION 10. Any appropriation made by this act may be reduced or eliminated by order of the Legislative Delegation from Orangeburg County, and when any new employee enters the service of Orangeburg County, whether replacing an existing employee or filling a new position, the compensation or salary of such new employee shall be set by the legislative delegation.

SECTION 11. In anticipation of the collection of taxes herein provided for, the Treasurer of Orangeburg County, with the approval of the county legislative delegation, is authorized to borrow such sums as may be necessary to carry out the provisions of this act, and to pledge current taxes in payment thereof.

SECTION 12. If any word, phrase, part or section of this act is held unconstitutional, the remaining portion shall continue in full force and effect.

SECTION 13. Upon written authorization of a majority of the Legislative Delegation from Orangeburg County, additions to the courthouse and expenditures for the county development board shall be paid from the ordinary funds of the county.

SECTION 14. This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1334, H2721)

No. 1333

An Act To Make A Supplemental Appropriation For The Fiscal Year 1963-1964 From The General Fund Of Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following supplemental appropriation for the fiscal year 1963-1964 is made from the General Fund of Orangeburg County :

Addition to Courthouse\$ 30,000.00

Should any of this fund not be expended during the fiscal year, it shall be carried forward for the year 1964-1965.

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R702, H1982)

No. 1334

An Act To Authorize The Board Of Trustees Of Pickens County School District A And The County Treasurer To Borrow Twenty Thousand Dollars For School Purposes For The Pickens High School And Daniel High School And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. School District A may borrow money.—The Board of Trustees of School District A and the Treasurer of Pickens County are authorized to borrow twelve thousand dollars for school purposes for the Pickens High School and eight thousand dollars for school purposes for the Daniel High School from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a

note to be executed by the Chairman of the Board of Trustees of School District A and the treasurer of the county. The note shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note. *Provided*, the borrowers reserve the right to anticipate the payment of part or all of the loan on any annual instalment date.

SECTION 2. Payment.—For the payment of the note the auditor shall levy and the treasurer shall collect an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any instalment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R1076, H2590)

No. 1335

An Act To Provide For The Levy Of Taxes In Pickens County For County And School Purposes For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965, And To Direct The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of so many mills as is necessary is hereby levied on all taxable property in Pickens County, for county and school purposes, for the fiscal year beginning July 1, 1964, and ending June 30, 1965, for the amounts and purposes hereinafter mentioned. The

millage levy shall not exceed that number of mills, or fractions thereof, actually necessary to raise the sums herein appropriated. After deducting the expected revenues herein stated, such millage shall be determined by the Pickens County Auditor, subject to the approval of a majority of the Pickens County Legislative Delegation. *Provided*, the ordinary county tax millage shall be set at a time different from that at which the school tax levy is set by the auditor upon recommendation of a majority of the members of the Board of Trustees of Pickens County School District A.

Item 1. Roads and Bridges, cross-county roads, etc.:

- A. Maintenance, roads and bridges and county farm\$250,000.00
Provided, that not more than \$35,000.00 of the above sum shall be expended within the incorporated municipalities upon recommendation of the Pickens County Municipal Association and approval of a majority of the legislative delegation. *Provided*, further, that not to exceed \$40,000.00 of the above sum may be expended prior to July 1, 1964, upon the approval of a majority of the legislative delegation. *Provided*, further, that when this appropriation is expended no additional funds will be available until July 1, 1965.
- B. New machinery to be purchased on prior written approval of a majority of the Pickens County Legislative Delegation 35,000.00
- C. No money, labor or material shall be expended, performed or used by Pickens County in the construction or improvement of any street or road in any subdivision, or property to be subdivided, owned by any person, firm or corporation until the requirements and rules promulgated or to be promulgated by the Pickens County Board of Commissioners are complied with; such compliance shall be a condition precedent before such money, labor or material is expended, performed or used.

Total, Item 1\$285,000.00

Item 2. County Officers, salaries and expenses:

A. Clerk of Court	\$ 6,300.00
A-1. Deputy Clerk of Court	3,780.00
A-2. Clerk	3,255.00
A-3. Assistant Clerk	2,520.00
B. Supervisor's salary	6,300.00
<i>Provided</i> , the Supervisor is allowed to use the gas and oil of the county for his car when necessary for county business.	
B-1. Clerk to Supervisor and County Commissioners	4,200.00
B-2. Assistant Clerk	3,150.00
C. Two County Commissioners	4,200.00
D. Coroner	1,400.00
D-1. Travel for Coroner	300.00
E. County Attorney	1,000.00
F. County Physician	1,000.00
G. County Auditor	2,260.00
<i>Provided</i> , the salary of the County Auditor from state and county funds shall be the sum of \$6,300.00.	
G-1. Clerk for Auditor	2,772.00
G-2. Assistant Clerk for Auditor	2,400.00
G-3. Mileage for Auditor	400.00
H. County Treasurer	2,260.00
<i>Provided</i> , the salary of the County Treasurer from state and county funds shall be the sum of \$6,300.00. <i>Provided</i> , further, that a notice shall be sent to every taxpayer when county ordinary taxes or county school taxes are increased. Such notice shall state the purpose and method of such increase.	
H-1. Clerk for Treasurer	3,780.00
H-2. Assistant Clerk	2,490.00
I. County Sheriff	6,300.00
I-1. Ten Deputy Sheriffs	42,600.00
<i>Provided</i> , the above deputy sheriffs shall perform duties at the county jail as directed and scheduled by the county sheriff. <i>Provided</i> , further, that the sheriff shall provide police protection for Pickens County twenty-four hours per	

day; such protection to be evidenced by deputies on active duty for such period through assignation by the sheriff.

I-2. Travel expenses for Sheriff and Deputies	9,300.00
<i>Provided</i> , gasoline shall be furnished by the county.	
I-3. Maintenance—Sheriff's Department	6,000.00
I-4. Uniforms for Sheriff and Deputies	2,400.00
I-5. Five mill deputies at \$60.00 per month, to be appointed by the Sheriff and provided by the Sheriff with such duties of his office as they may be able to perform within the limits of the compensation they shall receive hereinabove	3,600.00
I-6. Maintenance of radio system for Sheriff's Department	750.00
I-7. Jailer	3,150.00
J. Probate Judge	6,300.00
J-1. Clerical help	3,255.00
K. Tax Collector	4,000.00
K-1. Clerical help for Tax Collector	2,520.00
K-2. Mileage for Tax Collector	550.00
L. Service Officer	5,040.00
L-1. Secretary	2,772.00
L-2. Travel	1,800.00
N. Magistrates:	
N-1. Easley	3,780.00
N-2. Pickens	2,801.00
N-3. Liberty	2,292.00
N-4. Central	2,292.00
N-5. Six Mile	693.00
N-6. Magistrates' Constables, salaries:	
(a) Liberty	641.00
(b) Central	452.00
(c) Easley	2,520.00
<i>Provided</i> , the Easley Constable shall devote full time to the duties of this office.	
N-7. Magistrates' Constables—fees and mileage	1,200.00
O. Caretaker, County Home	3,606.00
O-1. Travel, County Home Caretaker	150.00

Provided, County Home Caretaker shall receive nine cents per mile actually traveled in the scope of his employment to be paid by board of commissioners upon receipt of duly verified claim, not to exceed the amount herein provided.

O-2. Cook for County Home	1,260.00
P. Clerk for Historical Society	630.00

Total, Item 2\$176,421.00

Item 3. County Boards:

A. Board of Equalization	\$ 500.00
B. Board of Registration	500.00
C. Board of Vital Statistics	450.00

Total, Item 3\$ 1,450.00

Item 4. Court Expenses, Jurors, Witnesses, etc:

A. Jurors and Witnesses	\$ 8,000.00
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Provided, the Clerk of Court shall select not more than three qualified bailiffs to be in attendance at terms of Court of General Sessions and Common Pleas.

B. Expense, Stenographer, 13th Judicial Circuit ..	400.00
B-1. Travel expense, Solicitor, 13th Judicial Circuit ..	400.00
B-2. Expense, Secretary to Resident Judge	400.00
C. Post mortems, inquests and lunacies	800.00
D. Jurors for Coroner's inquests	50.00
E. Stenographer for inquests	150.00

Total, Item 4\$ 10,200.00

Item 5. County Home and feeding prisoners:

A. County jail	\$ 5,000.00
B. County Home	6,000.00
C. Transporting prisoners	450.00

Total, Item 5\$ 11,450.00

Item 6. Public Buildings:

A. Water, lights and insurance	\$ 9,000.00
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Provided, insurance against liability by reason of explosion of boilers in various county build-

ings and insurance against liability on county vehicles shall be purchased.

B. Telephone and telegraph	7,000.00
C. Fuel	2,500.00
D. Janitor service and supplies	5,500.00
<i>Provided</i> , the board of commissioners shall employ such person as may be necessary and provide the supplies to maintain the county buildings in a clean and sanitary condition.	
E. Printing, postage and stationery	12,000.00
F. Repairs on public buildings	2,000.00

Total, Item 6\$ 38,000.00

Item 7. Miscellaneous:

A. Bond premium, county officers	\$ 850.00
B. County Library	27,600.00
C. Compensation insurance premium	3,500.00
D. Annual audit of county	2,500.00
E. Contingent fund, to be expended upon the written approval of a majority of the Pickens County Legislative Delegation	10,000.00
<i>Provided</i> , the Pickens County Rabies Control Program shall be paid from this item. <i>Provided</i> , further, that this program is under the supervision of the Pickens County Board of Health.	
F. County's part Employees' Retirement Fund ...	20,000.00
G. Mileage, Pickens County Fire Control Wardens (three @ \$30.00 per month each)	1,080.00
H. Adult Education Program	2,000.00
<i>Provided</i> , that such program shall be approved by the Pickens County Legislative Delegation.	
I. Maintenance of Watershed Projects	1,000.00

Total, Item 7\$ 68,530.00

Item 8. Farm Demonstration:

A. 4-H Club, Boys	\$ 200.00
B. 4-H Club, Girls	200.00
C. F. F. A.	200.00
D. Supplies for Home Agent	100.00
E. Clerical help for County Agent's office	600.00

F.	Supplement to salary of County Farm Agent ..	500.00
G.	Supplement to salary of Assistant County Farm Agent	350.00
G-1.	Supplement to salary of Assistant County Farm Agent	350.00
H.	Supplement to salary of County Home Demonstration Agent	350.00
I.	Supplement to salary of Assistant County Home Demonstration Agent	350.00
<i>Provided</i> , that the sums appropriated in sub-items F., G., G-1., H. and I. shall be paid in equal quarterly payments.		
Total, Item 8		\$ 3,200.00
Item 9. Pickens County Department of Public Welfare:		
A.	Emergency relief (to prospective clients)	\$ 3,000.00
B.	Child welfare (mileage)	1,188.00
C.	Foster Board care	1,000.00
D.	Special services (lunches for child welfare and other clients when taken out of county on all-day trips)	200.00
E.	Pickens County Board of Public Welfare, at \$200.00 per annum per member	600.00
<i>Provided</i> , that the amount in Item 9A hereinabove shall be spent in accordance with written regulations promulgated by the Pickens County Board of Public Welfare.		
F.	General fund	500.00
G.	Administration (medical assistance to the aged)	2,400.00
Total, Item 9		\$ 8,888.00
Item 10. Pickens County Health Department:		
A.	Burial of paupers	\$ 600.00
B.	Pickens County Health Unit	25,864.00
<i>Provided</i> , that all moneys expended from this appropriation, together with such funds as may be contributed by the State and Federal Governments for the operation of the county health unit, shall be in accordance with a budget filed with and approved in advance of such expendi-		

tures by a majority of the Pickens County Legislative Delegation.

C. Mental Health Clinic 5,000.00

Total, Item 10 \$ 31,464.00

Item 11. National Defense:

A. Easley Unit \$ 1,300.00

B. Clemson Unit 300.00

Civil Defense 3,000.00

Provided, that the above amount shall be expended only on the approval of a majority of the county legislative delegation.

Total, Item 11 \$ 4,600.00

Item 12. County Cooperative Breeding Association ... \$ 1,800.00

Provided, that not to exceed \$150.00 per month shall be paid from this appropriation by the county treasurer on an itemized statement of the officers of the association.

Total, Item 12 \$ 1,800.00

Item 13. Pickens County Charity Hospital Funds 20,000.00

Provided, that no moneys are to be expended until a definite rate per day be established and approved by a majority of the Pickens County Legislative Delegation, and be filed in writing with the county board of commissioners. *Provided*, further, that the above sum shall be regulated, supervised and administered by the Pickens County Board of Public Welfare. *Provided*, further, that the costs and expenditures for hospitalization and administration shall not exceed the above sum and no appropriation for administration or hospitalization shall be made when these funds are expended.

13-A. Reimbursement to the County General Fund for moneys withheld under Act 393 of 1961 for charity hospitalization 23,015.00

Total, Item 13 \$ 43,015.00

Item 14. Technical Education Center	\$ 6,670.00
Total, Item 14	\$ 6,670.00
GRAND TOTAL	\$690,688.00
Less Estimated Revenues—other than taxes:	
Magistrates—Fines and Fees	\$ 55,000.00
From the Probate Judge	2,000.00
From the Clerk of Court	40,000.00
From the County Supervisor	25,000.00
From the Sheriff	1,000.00
From the Tax Collector	25,000.00
From the Wine and Beer Tax	10,000.00
Liquor Tax	40,000.00
Gas Tax	175,000.00
Income Tax	60,000.00
From Insurance License Fees	25,000.00
Tax from Banks	7,000.00
State Contribution for Service Officer	4,815.00
Total	\$469,815.00
Total amount to be raised by taxes	\$220,873.00

SECTION 2. The county board of commissioners is hereby authorized and directed to publish quarterly statements in the three Pickens County newspapers. They shall publish only the amount appropriated and the unexpended balance of each item.

SECTION 3. No bills or claims against Pickens County for supplies purchased or services rendered shall be approved by the supervisor and the county commissioners, except in meeting assembled. No such bills or claims shall be approved for payment and no vouchers shall be issued for same unless such bills or claims are properly itemized showing the supplies or articles purchased, and the services rendered, with the proper dates of such purchases and of rendering of such services and duties.

SECTION 4. Transfer from one item to another may be made only upon the written approval of a majority of the Pickens County Legislative Delegation, and they shall have power and authority to provide for and add to the appropriation herein made any sum sufficient

to take care of any deficit which may prove to exist from the maintenance of the costs of the county government during the year 1964-65.

SECTION 5. The auditor and the treasurer, with the approval of a majority of the Pickens County Legislative Delegation, are hereby authorized and empowered to increase the general levy above provided to meet the appropriations made.

SECTION 6. There is hereby levied four mills for interest and a sinking fund on county bonds.

SECTION 7. Magistrates' constables for whom salaries are appropriated shall be appointed by the magistrates in the respective townships. The duties of magistrates' constables at Pickens and Six Mile shall be performed by the sheriff and his deputies.

SECTION 8. The Auditor of Pickens County shall levy a sufficient number of mills, or fraction thereof, to raise the sums necessary to operate the public schools of the school district of Pickens County in accordance with a budget to be prepared and presented to him by a majority of the trustees of the school district. Such budget shall include the necessary sums for payment of the share of this county of the compensation of the agriculture teachers in the school system, and the trustees are authorized to expend such sums from the amount appropriated in their budget for that purpose. The school tax levy shall be set at a time not less than one week after the ordinary county tax levy is set. The school tax millage shall be within the statutory limitation.

SECTION 9. The annual compensation of each member of the Board of Trustees of Pickens County School District A and of each member of the county board of education is hereby fixed at twenty-five dollars. The sum necessary to pay the compensation herein prescribed shall be expended from the educational funds of the county.

SECTION 10. Any sum appropriated under the provisions of this act for salaries shall lapse upon the discharge, death, removal or resignation of the officer or employee to whom the appropriation applies, or by vacancy, however created, of the office to which such appropriation applies, and any employee or officer succeeding such employee or officer shall be paid at a compensation to be fixed in writing by a majority of the legislative delegation, and filed with the county board of commissioners.

SECTION 11. All county officials, authorized to disburse funds designated in the county appropriations act, are instructed to expend no funds in excess of amounts appropriated without the written approval of a majority of the county legislative delegation, and thereby avoid violation of Section 14-315 of the 1962 Code.

SECTION 12. A section of the county jail shall be reserved and set apart to be used for quartering offenders of sixteen years of age or less.

SECTION 13. The Treasurer of Pickens County is authorized to pay to the probation officer who has jurisdiction over Pickens County such sums as are necessary for compensation for additional duties in the investigation of cases in which persons under the age of eighteen years are charged with criminal offenses, upon the authorization of a majority of the legislative delegation. The probation officer shall make a complete report with his recommendations to the magistrate or circuit court having jurisdiction of the cases involving these persons.

SECTION 14. When such purchasing or placing of orders is made, the equipment, materials, goods, wares, merchandise or services needed shall be purchased from firms or individuals within the county whenever such firms or individuals are reliable and offer equipment, materials, goods, wares, merchandise or services of equal quality and specifications with like goods from outside the county and at a price equal to or less than the price submitted by such nonresident bidders.

SECTION 15. No salary shall be paid under the provisions of this act until such employee, as affected, shall have complied with all requirements of the State Retirement Act with regard to any fees collected that are covered under the Social Security Law, such determination of amounts due to be certified to Pickens County by the State Director of the Retirement System.

SECTION 16. The beginning salary for full-time clerical help employed under the provisions of this act shall be two thousand four hundred dollars. However, such employee shall not participate in any general pay raise until such employee shall have worked for a period of at least one year immediately preceding the effective date of such pay raise.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1248, S824)

No. 1336

An Act To Authorize The Pickens County Finance Board To Borrow Not Exceeding One Hundred Fifty Thousand Dollars To Be Used For Capital Improvements For The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Pickens County may borrow money.—The Pickens County Finance Board is hereby authorized and empowered to borrow a sum not exceeding one hundred fifty thousand dollars from any bank, other financial institution or other agency it may select to be used for capital improvements for the county. The amount borrowed shall be evidenced by a note to be executed jointly by the county supervisor and county treasurer. The note shall bear interest at the best available rate, not to exceed three and one-half per cent per annum from the date thereof, the interest to be paid semiannually on June thirtieth and December thirty-first. The note shall mature upon such date as the Pickens County Finance Board shall determine but not later than ten years from the date of issue. The full faith, credit and taxing power of Pickens County is hereby irrevocably pledged to the repayment of the interest and principal of the note issued hereunder.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1343, H2704)

No. 1337

An Act Providing For A Referendum In Pickens County To Determine The Wishes Of The Qualified Electors Concerning Equalization Of Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Referendum in Pickens County concerning equalization of property.—There shall be a special election in Pickens County to be held on the second Tuesday in November, 1964, at which the following question shall be submitted to the qualified electors of the county: "Are you in favor of equalizing all taxable real property in Pickens County not assessed by the South Carolina Tax Commission

provided the total assessment of taxable real property for Pickens County, after equalization, does not exceed five per cent more than the total assessment of taxable real property as of January first of the year preceding completion of the equalization program?

In favor of ☐

Opposed to ☐

SECTION 2. Equalization of property if results favorable.—If the election required by this act shall result favorably, then the Governing Board of Pickens County shall, as soon as practicable, be empowered to do all things necessary for the equalization of all such property in the county, including the establishment of an adequate system of tax maps and records.

SECTION 3. Conduct of election.—The Pickens County Election Commissioners shall conduct the elections provided in this act in the manner set forth in the South Carolina Election Law and shall certify the results thereof to the Pickens County Legislative Delegation, Clerk of Court of Pickens County and the Secretary of State. The expenses shall be paid from the general funds of the county.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R706, H1986)

No. 1338

An Act To Amend Act No. 638 Of 1963, Relating To An Authorized Loan By School District No. 5 In Richland County, So As To Make A Technical Correction.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2 of Act 638 of 1963 amended—payment.

—Section 2 of Act No. 638 of 1963 is amended by striking the words "county" on lines 3 and 7 and inserting in lieu thereof the word "district" so that when so amended the section shall read as follows:

"Section 2. For the payment of the note, the auditor shall levy and the treasurer shall collect an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment

of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R977, S517)

No. 1339

An Act To Repeal Act No. 645 Of 1963, Relating To Financing Of The Richland County Civic Center, Its Governing Body And Its Advisory Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 645 of 1963 repealed.—Act No. 645 of 1963 is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R1017, H2495)

No. 1340

An Act To Authorize The Governing Body Of Richland County To Borrow A Sum Of Money To Provide Water Lines For A New Industry And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Richland County may borrow money.—The Governing Body of Richland County may borrow a sum not exceeding two hundred thousand dollars from the Division of Sinking Funds and Property of the State Budget and Control Board for the purpose of financing Richland County's portion of the expense of installing water lines to serve the new Dictaphone Corporation industrial plant.

The amount borrowed shall be evidenced by a note to be executed by the members of the governing body of the county and the county treasurer. The note shall bear interest at a rate agreed upon by the parties and shall be payable in five successive, equal, annual installments. The borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note, the Auditor of Richland County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1964.

(R1163, H2635)

No. 1341

An Act To Authorize The Board Of Trustees Of School District No. 2 Of Richland County To Issue Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of The School District; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For Repayment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that the continued growth of the population in the School District No. 2 of Richland County makes it mandatory that additional public school facilities be provided for the district, and that the cost, to be borne by the district, should be raised by an issue of general obligation bonds. The General Assembly has, therefore, determined to empower the board of trustees of such district (hereinafter called the “trustees”) to provide additional public school facilities for the district and raise therefor the sum of two hundred thousand dollars through the sale of the bonds authorized by this act.

SECTION 2. Bond issue authorized.—The trustees are hereby empowered to issue general obligation bonds of the district in the aggregate principal amount of not exceeding two hundred thousand dollars and to apply the proceeds of such bonds to the purposes prescribed by this act.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the trustees shall provide, except that the first maturing bonds of any issue shall mature not later than three years from the date as of which they shall be issued; not less than two per cent of any issue shall mature in any year; and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the trustees, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice that must be given.

SECTION 5. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Richland County, upon such condition as the trustees may prescribe. Except when so registered, all bonds shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The bonds shall be made payable at such places, within or without the State, as the trustees shall prescribe, and shall bear such interest as may be determined by the trustees.

SECTION 7. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the trustees shall by resolution prescribe.

SECTION 8. Sale.—The bonds shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold at public sale, after public advertisement of the sale in a newspaper of general circulation in South Carolina. In such event the published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 9. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the district shall be irrevocably pledged, and there shall be levied annually by the Auditor, and collected by the Treasurer of Richland County, in the same manner as county taxes, a tax without limit, on all taxable property in the district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 10. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 11. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Richland County, to be deposited in a bond account fund for the district, and expended by the trustees as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to pay costs to be incurred in the constructing and equipping of additional public school facilities in the district.

(d) Any balance remaining shall be held by the Treasurer of Richland County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 12. Powers additional.—The powers hereby conferred upon the trustees are in addition to all others previously vested in them.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1964.

(R1182, H2670) (R1270, S799)

No. 1342

A Joint Resolution Proposing An Amendment To Article II, Section 13, Of The Constitution Of South Carolina, 1895, So As To Permit Elections To Be Held In The City Of Columbia Upon The Question Of Incurring Bonded Debt For Any Corporate Purpose Without There Being First Presented To The City Council Of The City Of Columbia A Petition Signed By A Majority Of The Freeholders Of The City Seeking And Authorizing The Holding Of Such Elections.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article II, Section 13, State Constitution, proposed—City of Columbia may hold election concerning bonded indebtedness without petition.—There is proposed the following amendment to Article II, Section 13 of the Constitution of South Carolina, 1895: Add at the end thereof the following: "*Provided*, that the General Assembly need not prescribe any such petition of freeholders as a condition precedent to the holding of any such election in the City of Columbia where the proceeds of the bonds to be authorized are used for any corporate purpose of the City of Columbia. It is intended that the term 'City of Columbia' as used in this amendment shall mean the City of Columbia with corporate limits as now constituted or as hereafter altered following merger, annexation, or modification of corporate limits."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election

for representatives. Ballots shall be provided at the various voting precincts throughout the State, with the following words printed or written thereon: "Shall Article II, Section 13 of the Constitution of South Carolina, 1895, be amended so as to permit the holding of special elections in the City of Columbia for the purpose of determining if the City Council of the City of Columbia shall be empowered to issue general obligation bonds of the City of Columbia for any corporate purpose without there first being presented to the City Council a petition signed by a majority of the freeholders of Columbia petitioning and authorizing such elections:

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment' and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

Ratified the 15th day of April, 1964.

(R1219, H2701)

No. 1343

An Act To Authorize The Sale Of Certain County-Owned Property In Richland County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Richland County may sell certain property.—The property hereinafter described may be sold by the governing body of Richland County under such terms and conditions as may be agreed upon by the governing body; *provided*, that none of such property shall be sold without the approval of a majority of the Richland County Legislative Delegation, including the Senator.

All those three certain pieces, parcels or tracts of land, together with the improvements thereon, situate, lying and being on both sides of Bethel Church Road, in the County of Richland, State of South Carolina, being more particularly described as follows:

PARCEL NO. 1:

Tract of land containing thirty-four and one-tenth (34.1) acres, more or less, being a portion of a tract of 36 acres, known as the Alms

House property, as shown on a plat thereof prepared by James C. Covington, C.E., dated May 6, 1926, and bounded as follows: On the North and West by property of Stork; on the East in part by property of Stork, by property formerly of Kligman, now of Richland County by property of Plumer and of Walker; and on the South by 8-Mile Creek, the center of the Creek being the line; *less* Lots B and C as shown on a plat prepared for R. M. Stork, Jr. by William Wingfield, Registered Surveyor, dated April 14, 1958, and recorded in the Clerk's office for Richland County in Plat Book 10, at page 422, and conveyed to the said R. M. Stork, Jr. by Deed of Richland County, dated May 14, 1958, and recorded in said Clerk's office in Deed Book 227, at page 107.

PARCEL NO. 2:

Tract of land containing Eleven and one-tenth (11.1) acres, more or less, and bounded on the North by lands now or formerly of R. M. Stork; East by lands now or formerly of W. M. Cook; South by Bethel Church Road; and on the West by lands now or formerly of Blizzard and of Richland County.

PARCEL NO. 3:

Lot of land shown as Lot A on a plat of R. M. Stork, Jr., prepared by William Wingfield, Registered Surveyor, March 14, 1958, and recorded in said Clerk's Office in Plat Book 10, at page 422, and bounded as follows: North by lands of Stork; East by lands of Richland County; and South by lands now or formerly of Blizzard; *Subject* to right-of-way and easement to American Telephone & Telegraph Co.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Increase The Limitation Upon The Bonded Indebtedness Of School District No. 5 Of Richland County, and To Eliminate

Consideration Of Such Indebtedness As To Other Political Entities Covering The Same Territory.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Richland County School District 5.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: add at the end of section the following: “*Provided*, that the limitations imposed by Section 5 of Article X are removed for School District No. 5 of Richland County and such district may impose a bonded indebtedness not exceeding thirty per cent of the assessed value of the taxable property in the district. The bonded indebtedness of School District No. 5 of Richland County shall not be considered in determining the power to incur bonded indebtedness by Richland County or by any political subdivision of Richland County or of the State wholly covering or partially extending over the territory of School District No. 5 of Richland County.”

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: “Shall Section 5 of Article X of the Constitution of this State be amended, so as to permit the increase of the bonded indebtedness of School District No. 5 of Richland County not to exceed thirty per cent of the assessed value of the taxable property in the district, and to eliminate consideration of such indebtedness as to other political entities covering the same territory?”

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall cast a ballot using a check or cross mark in the square after the words ‘In favor of the amendment’, and those voting against the amendment shall cast a ballot with a check or cross mark in the square after the words ‘Opposed to the amendment’.”

Ratified the 21st day of April, 1964.

(R1333, H2720)

No. 1345**An Act To Authorize The Capital View Fire District In Richland County To Borrow Not Exceeding Fifteen Thousand Dollars For Fire Equipment And To Provide For The Payment.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Capital View Fire District may borrow money.—The Governing Body of the Capital View Fire District and the Treasurer of Richland County are hereby authorized to borrow for fire equipment not exceeding fifteen thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note to be executed by the Chairman of the Governing Body and the Treasurer of Richland County. The note shall bear interest at the rate of four per cent per annum from the date thereof and shall be payable in five successive annual installments. The first four installments shall be in the amount of fifteen hundred dollars and the balance shall be paid in the fifth installment. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—The note and the interest thereon shall be paid from the funds of the district; *provided*, that if the present tax levy and other sources of revenue of the district shall prove to be insufficient to meet the payments of the note and the interest thereon the Auditor of Richland County shall levy and the Treasurer shall collect an annual tax on all the taxable property of the district sufficient to meet such payments.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1367, H2730)

No. 1346**An Act To Authorize The Governing Body Of Richland County To Issue Not Exceeding Six Million Dollars Of General Ob-**

ligation Bonds For New Public Hospital Facilities If The Election Required By This Act Shall Result Favorably; To Prescribe The Conditions Under Which The Bonds May Be Issued; To Prescribe The Purposes To Which The Proceeds Shall Be Applied; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that the existing public hospital facilities owned by Richland County and operated under the name of the Columbia Hospital by the board of trustees established by Act No. 638 of 1951, as amended, (“the hospital trustees”), are totally inadequate and that new facilities must be provided at a different location. It takes note of the fact that the special amendment to Section 5 of Article X of the Constitution of South Carolina (Amendment [7] found on page 237, Vol. 16, of the 1962 Code) relating to Richland County requires that whenever its bonds are issued for hospital purposes, the question of their issuance must be submitted to the qualified electors of the county. The General Assembly has therefore determined to submit the question of whether the county should issue bonds, to the extent provided in this act, for hospital purposes to the qualified electors of Richland County in the general election to be held on November 3, 1964, so that if the question is voted upon favorably, the Governing Body of Richland County may, upon the request of the hospital trustees, issue general obligation bonds of the county to the extent permitted by this act in order that the hospital trustees shall be empowered to acquire a suitable site and to construct thereon appropriate public hospital facilities.

“Governing body” as used in this act shall mean the governing body as legally constituted at the time any action is taken or called for in carrying out the provisions of this act.

SECTION 2. Bond issue authorized if election favorable.—If the election required by this act shall result favorably, then, in order to provide funds which shall be used in acquiring a site and constructing thereon new public hospital facilities for Richland County, the governing body, upon the written request of the hospital trustees, is hereby authorized to issue and sell, either as a single issue or from time to time, as several separate issues, not exceeding six million dollars of general obligation bonds of Richland County.

SECTION 3. Question of issuance of bonds to be submitted to voters.—In order to determine if the governing body may issue

bonds pursuant to this act, it is hereby authorized to order the submission of the question of the issuance of bonds in the general election to be held on November 3, 1964. To that end, the governing body may adopt a resolution directing that the question set forth in Section 5 be submitted to the qualified electors of Richland County in that general election. Following action by the governing body, certified copies of its resolution shall be transmitted to the Commissioners of Election for Richland County, who are hereby directed to provide that the question prescribed by this act shall be on all voting machines used in the election, or if no voting machines shall be used at any polling place, upon printed ballots to be made available to all qualified electors who present themselves to vote in such polling places. Both the governing body and the Commissioners of election are fully empowered to take such further action as shall be necessary to fully implement the directive of this act requiring the submission of the question.

SECTION 4. Notice.—The governing body shall cause an appropriate notice as to such question and election to be published in one or more newspapers published in Richland County on at least three occasions, the first of which is to be not more than twenty-one days nor less than fifteen days prior to November 3, 1964. The notice shall contain the following information:

1. The question to be voted upon,
2. The qualifications imposed upon persons voting, and
3. Such other information as may be required to fully apprise all persons of the nature of the question to be voted upon.

SECTION 5. Question.—The form of the question to be submitted and which shall be set forth on all voting machines that may be used, or upon a printed ballot in the polling places where there are no voting machines, shall be substantially as follows:

Shall the Governing Body of Richland County be empowered to issue, either as a single issue, or from time to time in several separate issues, general obligation bonds of Richland County in the amount of not exceeding six million dollars whose proceeds shall be used to acquire new public hospital facilities for Richland County?

Appropriate instructions shall be given apprising those who favor the issuance of bonds that they shall pull the voting lever or mark the printed ballot in such way as to reflect approval to the issuance

of bonds, and apprising those who oppose the issuance of bonds that they shall pull the voting lever or mark the printed ballot in such a way as to reflect their opposition to the issuance of the bonds.

SECTION 6. Results.—Upon the receipt of the returns of the election from the Commissioners of Election for Richland County, the governing body shall by resolution declare the results thereof and may provide for the filing of a certified copy of such resolution declaring the results of the election in the office of the Clerk of Court for Richland County. In such event the results of the election, as declared by resolution of the governing body so certified and filed, shall not be open to question except by suit or proceeding instituted within thirty days from the date of the filing thereof.

SECTION 7. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or installments as the governing body shall provide, except that:

1. The first maturing bonds of any issue shall mature within three years from the date as of which they may be issued;
2. Not less than two per cent of the aggregate of any issue shall mature in each year; and
3. No bonds shall mature later than twenty-five years from the date as of which they may be issued.

SECTION 8. Redemption.—Bonds may be issued with provisions providing for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the governing body, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings providing for the issuance of each issue, provisions shall be made specifying the extent to which bonds of such issue are redeemable, the occasions of redemption, and the notice thereof that must be given.

SECTION 9. Form.—The bonds shall be issued in the form of negotiable coupon bonds, payable to bearer, with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Richland County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the governing body may prescribe. Unless registered, such bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 10. Denominations.—The bonds shall be in such denominations and shall be payable at such places, within or without the State, as the governing body shall provide.

SECTION 11. Interest.—All bonds issued pursuant to this act shall bear interest at rates to be determined by the governing body.

SECTION 12. Execution.—The bonds and the coupons annexed thereto shall be executed in the manner provided for by the governing body.

SECTION 13. Sale.—The bonds shall be sold at public sale, after advertisement thereof in a newspaper having general circulation in the State, or in a financial publication published in the City of New York, or in the discretion of the governing body, in both such publications. The advertisement shall appear not less than ten days prior to the occasion set for such sale. The bonds may be disposed of at private sale if there are no bids received or if all bids are rejected. The provisions of this section shall not prevent a sale at private sale to the United States of America or any agency thereof.

SECTION 14. Sale further.—All such bonds shall be sold at a price of not less than par and accrued interest to the date of delivery.

SECTION 15. Payment.—For the payment of the principal and interest on all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Richland County are irrevocably pledged, and there shall be levied annually by the county auditor and collected by the county treasurer, in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in Richland County sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 16. Exempt from taxes.—Bonds issued pursuant to this act and all interest to become due thereon shall be exempt from all State, county, municipal, school district and other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 17. Proceeds.—The proceeds derived from the sale of the bonds issued pursuant to this act shall be delivered to the Treasurer of Richland County and shall be expended and made use of as follows:

— 111 —

(a) Any accrued interest shall be applied by the treasurer to the payment of the first installment of interest to become due thereon.

(b) Any premium shall be applied by the treasurer to the payment of the first installment of principal of the bonds.

(c) The remaining proceeds shall be expended upon the order or warrant of the hospital trustees, to pay the cost of the issuance of the bonds, and to pay costs and expenses incurred in acquiring a suitable site and constructing thereon public hospital facilities for use by the public of Richland County.

SECTION 18. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R1370, H2719)

No. 1347

An Act To Provide A Levy Of Taxes For Richland County For School And County Purposes For The Fiscal Year 1964-1965, And To Direct The Expenditures Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied a tax of nine and one-half mills, if so much be necessary, on all taxable property in Richland County for ordinary county purposes, which together with all additional sums available for ordinary purposes, shall be used for the payment of the items hereinafter set forth. *Provided*, that all salaries herein appropriated shall be paid in biweekly installments and the total of such items, other than salaries, shall be expended only if such be necessary. *Provided*, further, however, that all implements and supplies of whatever kind to be purchased or sold under the terms of this act shall be purchased or sold by the Board of Commissioners prior to January 1, 1965, and by the Board of Administrators on or after January 1, 1965 only upon competitive bids each quarter after advertisement for at least one week previous to the letting of such contract in at least two issues of a newspaper published in Richland County, which advertisements shall set forth the articles and the approximate amount, quantity, measure and number thereof to be purchased or sold, and the contract of purchase or sale shall

be awarded to the lowest responsible bidder for the period of one quarter. *Provided*, further, that in case of actual emergency, but in no other event, the Board of Commissioners or Board of Administrators, as appropriate, may purchase without competitive bids, where the cost thereof does not exceed five hundred dollars, and under no circumstances shall purchases be divided in order to come within this limitation. *Provided*, further, that no bill, account or claim against the county shall be paid unless contracted for under such competition or purchased by the Board of Commissioners or Board of Administrators, as appropriate, in the above-mentioned case of actual emergency and unless the claims be filed for audit within thirty days from the time a cause of action arises. *Provided*, further, that no official or board shall in any way create a debt or overdraw by warrant or otherwise the specific appropriations made for his or its specific office or department. It shall be a criminal offense for any official or board to overdraw his or its appropriations, knowing in advance that such has been used.

ITEM 1. ADMINISTRATION DEPARTMENT

(A) 1. AUDITOR'S OFFICE

Salary, Auditor	\$ 4,458.00
Travel and Official Expense, Auditor	430.00
Salary, Deputy Auditor	4,549.40
Travel and Official Expense, Deputy Auditor	430.00
Salary, Deputy Auditor	4,549.40
Travel and Official Expense, Deputy Auditor	430.00
Salary, Assistant Deputy Auditor	3,858.49
Salary, Clerk	3,858.49
Salary, Clerk	3,858.49
Salary, Clerk	3,828.39
Salary, Clerk	3,611.70
Salary, Clerk	3,339.00
Extra Clerk Hire, if so much be necessary, at discretion of the Auditor	5,000.00
Purchase of Electric Typewriter	265.00
Purchase of Storage Cabinets	135.00
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	42,601.36

(B) TREASURER'S OFFICE

Salary, Treasurer	4,458.00
Travel and official expense, Treasurer	430.00

Salary, Deputy Treasurer	4,549.42
Official expense, Deputy Treasurer	430.00
Salary, Chief Cashier	4,313.87
Travel and official expense, Chief Cashier ..	430.00
Salary, Fee Cashier	3,916.36
Salary, Cashier	4,066.84
Salary, Cashier	3,780.00
Salary, Utility Clerk	3,600.00
Extra Clerk Hire, if so much be necessary ..	4,000.00
Bond premium to cover employees who handle money, if so much be necessary	894.26
Purchase of typing desk	75.00
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	34,943.75

Provided, however, if the State fails to pay Auditor and Treasurer a portion of their salary, then such amount is hereby appropriated as to bring their respective salaries up to \$8,998.50 and no more.

(C) CLERK OF COURT'S OFFICE

Salary, Clerk of Court	8,998.50
Travel and official expense, Clerk of Court ..	430.00
Salary, Deputy Clerk of Court	4,966.12
Official expense, Deputy Clerk of Court	430.00
Salary, Court Deputy	4,549.42
Official expense, Court Deputy	430.00
Salary, Court Deputy	4,517.01
Official expense, Court Deputy	430.00
Salary, Record Clerk	4,105.52
Salary, Chattel Clerk	4,000.24
Salary, Court Deputy	4,104.75
Salary, Clerk	3,970.14
Salary, Clerk	3,449.97
Salary, Clerk	3,449.88
Salary, Clerk	3,549.00
Salary, Clerk	3,639.91
Salary, Clerk	3,285.60
Repairing of books, if so much be necessary ..	500.00
Purchase of 2 double roller shelf sections	480.00

Purchase of 6 four-drawer legal files with locks	492.00
Purchase of 2 typist chairs	80.00

 59,858.06

(D) I. SUPERVISOR'S OFFICE

Salary, Supervisor	10,678.50
Travel and Official Expense, Supervisor	430.00
Salary, Deputy Supervisor and County Engineer	6,702.08
Travel and Official Expense, Deputy Supervisor and County Engineer	430.00
Salary, Assistant County Engineer and Voting Machine Custodian	4,368.00
Travel and official expense, Assistant County Engineer	860.00
Salary, Clerk of Board	5,292.71
Salary, Assistant Clerk of Board	4,810.65
Four members of Board of Administrators at \$2,700.00 per annum each, for six months ...	5,400.00
Per Diem of four members of Board of Administrators for six months	1,560.00
<i>Provided</i> , that per diem shall be paid to each member of the Board of Administrators, exclusive of the County Supervisor, at the rate of \$15.00 per day for each day in actual attendance at a meeting of the Board, not to exceed fifty-two meetings in any one year.	
Seven Commissioners at \$202.57 per month each, for six months	8,507.94
Official Travel Expenses, Commissioners at \$50.00 per month each, for six months	2,100.00
Seven Road Commissioners at \$202.57 per month each, for six months	8,507.94
Official Travel Expenses Road Commissioners at \$50.00 per month each, for six months	2,100.00
For Advertising, if so much be necessary	800.00
Stamps for all county offices, if so much be necessary	13,000.00
Stationery and supplies, Equipment, Repairs and Services for all county offices	43,000.00

Officers' bonds	2,000.00
Auditing county records	15,000.00
Salary, County Attorney	4,437.93
State Fund, premium for period through Sep- tember 30, 1965, if so much be necessary	11,600.00
Extra Clerk Hire	1,000.00

152,585.75

Provided, that the compensation so fixed for the County Attorney does not include compensation for abstracting titles to real estate or handling bond issues for any board or agency of Richland County; and the County Attorney may charge any board or agency for such services the minimum fee approved by the Richland County Bar Association. *Provided*, further, that the County Attorney may not use the services of any attorney on the delegation for abstracting the title to real estate or handling bond issues for any board or agency of Richland County. *Provided*, further, that the Richland County Board of Commissioners shall meet once every two weeks in the office of the County Supervisor at the call of the County Supervisor. *Provided*, that the audit for the Columbia Hospital, Richland County Health Department, and the Richland County Public Library shall be made by the same firm that is selected annually to audit the books and records of Richland County. *Provided*, further, that the actual cost of auditing records of the Columbia Hospital and County Library shall be drawn from the funds appropriated to each respective activity; *provided*, that all supplies be obtained through and from the Supervisor's office by requisition.

(D) II. COUNTY JAIL

Salary, County Jailor	5,368.00
Travel and official expense, County Jailor ...	360.00
Salary, Assistant Jailor	3,737.97

Salary, helper at Jail	3,600.00
Salary, helper at Jail	3,600.00
Salary, helper at Jail	3,600.00
Salary, helper at Jail	3,600.00
Salary, helper at Jail	3,600.00
Salary, helper at Jail	3,600.00
Salary, Matron at Jail	2,184.00
Salary, Secretary at Jail	2,940.00
Supplies and dieting at Jail	18,000.00
Repairs	1,000.00
Purchase of uniforms	900.00
Purchase of used car	400.00

 56,489.97

Provided, that the County Jailor shall file a monthly report with the Supervisor showing the daily number of prisoners, both State and Federal, at the jail, and the per capita cost of dieting per day. *Provided*, further, that all monies paid by the Federal Government or municipalities for dieting of prisoners confined in the Richland County Jail shall be turned over and become part of the Richland County General Fund; *provided*, further, that in addition to the appropriation hereinabove provided for supplies and dieting at the jail the Richland County Board of Commissioners or the Board of Administrators, as appropriate, shall have the right to use such monies paid by the Federal Government or municipalities to supplement the appropriation, if necessary, and that complete records of same be maintained and included in the annual county audit.

(E) TAX COLLECTOR'S OFFICE

Salary, Tax Collector	6,209.11
Travel and official expense, Tax Collector ...	480.00
Salary, Assistant Tax Collector	4,188.28
Official travel, Assistant Tax Collector	1,200.00
Salary, Assistant Tax Collector	4,097.99

Official travel, Assistant Tax Collector	1,200.00
Salary, Deputy Tax Collector	4,105.52
Travel and official expense, Deputy Tax Collector	900.00
Salary, Assistant Clerk	3,858.49
Salary, Stenographer	3,507.76
Extra Hire, if so much be necessary	500.00
Rent of I. B. M. Key Punch and sales tax ...	720.00
Service Bureau Corp. (I. B. M. work)	1,500.00
Purchase of file cabinet	127.72
Purchase of 2 Book Racks	329.09
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	32,923.96

Provided, that the Assistant Tax Collectors for Richland County be deputized by the Sheriff for Richland County.

(F) DELEGATION OFFICE

Salary, Administrative Assistant	2,129.24
Travel and Official Expense	1,130.00
Salary, Secretary to Delegation	4,810.65
Office supplies and official Legislative expense	1,000.00
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	9,069.89

Provided, that the sum appropriated for office supplies and official Legislative expense shall be expended by the Secretary to the Delegation upon the approval of the Senator and at least one-half of the members of the House of Representatives from Richland County.

(G) ASSESSMENT

Richland County Board of Assessment Control	107,931.00
Board of Assessment Appeals, if so much be necessary	2,275.00
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	110,206.00

Provided, that the members of the Richland County Board of Assessment Appeals shall receive \$12.50 per day each, and each shall be paid direct by the Supervisor upon properly

executed vouchers persented based upon work actually performed.

TOTAL, ITEM 1\$498,678.74

ITEM 2. JUDICIAL DEPARTMENT

(A) COURT OF COMMON PLEAS AND
GENERAL SESSIONS

Clerk, Jurors and Witnesses	\$ 31,000.00
Court Stenographer	1,265.36
Official expense, Solicitor, Fifth Judicial Circuit	1,450.00
Official expense, Circuit Judge, Fifth Judicial Circuit	1,750.00
Salary, Assistant Solicitor	6,560.82
Official Expense, Assistant Solicitor	600.00
Salary, Assistant Solicitor for Richland County	4,167.07
Salary, Secretary to Circuit Judge	4,129.91
Purchase of Typewriter, if so much be necessary	200.00

51,123.16

Provided, that the bailiffs and Court Crier employed for the Court of Common Pleas and General Sessions shall receive eight dollars and fifty cents per day. *Provided*, that no more than four bailiffs for each term of Common Pleas Court and no more than seven bailiffs for each term of General Sessions Court and one Court Crier be appointed for such duties. *Provided*, that the jury boy or girl or blind person employed by the Court of Common Pleas and General Sessions of Richland County shall receive five dollars per day. *Provided*, that out of the funds herein appropriated for jurors and witnesses the Clerk of Court is authorized and directed to pay for the printing of the roster for the Common Pleas Court and County Court which rosters are arranged by the County Judge and Bar Association.

Provided, further, that the members of the Richland County Grand Jury shall receive a per diem of \$5.00 for each day such grand jury meets as a body of the whole during the year 1964-65. *Provided*, further, that the petit jurors for the Court of Common Pleas and General Sessions of Richland County shall be paid at the rate of \$5.00 per day. *Provided*, further, however, that where petit jurors in the Court of Common Pleas or General Sessions are excused for a full day, such jurors shall not be paid a per diem for such days but if they should be required to return the next or subsequent days during that week, then and in such event, the jurors shall receive mileage whenever entitled thereto in lieu of per diem payment. *Provided*, further, that out of the funds herein appropriated for jurors and witnesses the Circuit Solicitor is hereby authorized to use for special services the sum not to exceed \$1,600.00.

(B) County Court

Salary, Senior County Judge	14,175.00
Travel and Official Expense, Senior County Judge	430.00
Salary, County Court Stenographer	5,681.39
Salary, County Court Bailiff and Clerk	4,191.26
Official expense, County Court Bailiff and Clerk	400.00
Salary, County Court Bailiff	4,191.26
Official expenses, County Court Bailiff	400.00
Salary, part time County Court Bailiff	2,784.60
County Court expenses	20,000.00
Salary, County Judge	11,025.00
Official expense, County Judge	430.00
Salary, County Court Stenographer	4,810.65
Salary, County Court Bailiff & Clerk	4,674.81
Official expense, County Court Bailiff	240.00
Salary, Part time Bailiff	2,750.00
Purchase of Supply Cabinet	53.50

Purchase of Typewriter Table	19.50
Purchase of Gray Autograph	424.72
Law Books Expense	250.00
Telephone with Buzzer System	360.00

 77,291.69

Provided, that the Senior County Judge may employ not more than two part time bailiffs at \$8.50 per day during court terms.

Provided, further, that the petit jurors for the County Court shall be paid at the rate of \$5.00 per day served.

Provided, further, however, that where petit jurors in the County Court are excused for a full day, such jurors shall not be paid a per diem for such days but if they should be required to return the next or subsequent days during that week, then and in such event, the jurors shall receive mileage whenever entitled thereto in lieu of the per diem payment.

(C) JUVENILE-DOMESTIC RELATIONS
COURT

Salary, Judge	11,025.00
Travel and official expenses, Judge	430.00
Salary, Chief Probation Officer	6,126.00
Official expense, Chief Probation Officer	900.00
Salary, Assistant Probation Officer	5,041.53
Official expense, Assistant Probation Officer .	900.00
Salary, Assistant Probation Officer	5,041.53
Official travel expense, Assistant Probation Officer	900.00
Salary, Probation Officer	5,041.53
Official expense, Probation Officer	900.00
Salary, Probation Officer	5,041.53
Official expense, Probation Officer	900.00
Salary, Clerk of Court of Juvenile-Domestic Relations Court	4,368.00
Salary, Assistant Clerk of Court	3,690.96
Salary, Deputy Clerk of Court	3,407.04
Salary, Deputy Clerk of Court	3,407.04

Court expense	1,300.00
Deputy, Juvenile-Domestic Relations Court ..	4,532.04
Official travel expenses, Deputy, Juvenile-Domestic Relations Court	1,200.00
Fund for Court Reporting Service, if so much be necessary	500.00
Purchase of Desk & File	400.00

65,052.20

Provided, that the Deputy, Juvenile-Domestic Relations Court, be deputized by the Sheriff of Richland County. *Provided*, further, that the Sheriff's office shall be relieved of the responsibility of serving any legal papers for the Juvenile-Domestic Relations Court.

(D) JUDGE OF PROBATE'S OFFICE

Salary, Judge of Probate	8,998.50
Travel and official expense, Judge of Probate ..	430.00
Salary, Clerk of Probate Court	4,785.19
Salary, Assistant Clerk	3,780.00
Salary, Court Reporter	4,264.30
Stenographer	3,780.00
Expenses and publications	200.00
Extra Clerk Hire, if so much be necessary ...	250.00
File Cabinet	150.00
Purchase of Typewriter	400.00
Advertising	2,500.00
Renovation of Office	1,500.00

31,037.99

(E) MASTER'S OFFICE

Salary, Master	11,025.00
Travel and official expense, Master	430.00
Salary, Court Reporter	5,460.00
Salary, Assistant Court Reporter	4,914.00
Salary, Bookkeeper	4,368.00
Allowance for Court Reporters' fees or Stenographers, fees by independent contracts, if so much be necessary	3,000.00

Purchase of Electric Typewriter	413.55
Purchase of Selectric Typewriter	383.68

29,994.23

Provided, that the initial salary of the Court Reporter or Assistant Court Reporter, if replaced, shall be at the figures above set forth, notwithstanding any section herein contained to the contrary.

(F) STANDING MASTER'S OFFICE

Salary, Standing Master	5,971.28
Official expense, Standing Master	600.00
Salary, Court Reporter	3,359.42
Extra clerical hire, if so much be necessary ..	300.00

10,230.70

Provided, that the Standing Master shall charge and turn over to the Treasurer of Richland County the same fees as the regular Master.

TOTAL, ITEM 2\$264,729.97

ITEM 3. LAW ENFORCEMENT DEPARTMENT

(A) SHERIFF'S OFFICE

Salary, Sheriff	\$ 8,998.50
Travel and official expense, Sheriff	430.00
Salary, Chief Deputy	5,647.90
Travel and official expense, Chief Deputy	430.00
Salary, Identification Officer	4,407.04
Salary, Juvenile Officer	4,472.00
Salary, Juvenile Officer	4,331.92
Salary, Process Server	5,201.90
Salary, Process Server	5,001.82
Salary, Investigator	4,903.26
Salary, Investigator	4,467.23
Salary, Investigator	4,467.23
Salary, Investigator	4,467.23
Salary, County Deputy	4,467.23
Salary, County Deputy	4,467.23
Salary, County Deputy	4,467.23

Salary, County Deputy	4,467.23
Salary, County Deputy	4,467.23
Salary, County Deputy	4,467.23
Salary, County Deputy	4,407.04
Salary, County Deputy	4,208.75
Salary, County Deputy	4,208.75
Salary, County Deputy	4,147.00
Salary, County Deputy	4,147.00
Salary, County Deputy	3,939.00
Salary, County Deputy	3,939.00
Salary, County Deputy	3,939.00
Salary, County Deputy	3,939.00
Salary, County Deputy	3,874.00
Salary, County Deputy	3,874.00
Salary, County Deputy	3,874.00
Salary, County Deputy	3,874.00
Salary, County Deputy	3,874.00
Salary, County Deputy	3,874.00
Salary, County Deputy	3,874.00
Salary, County Deputy	3,874.00
Salary, County Deputy	3,874.00
Salary, Record Clerk	3,407.44
Salary, Communications Operator	3,276.00
Salary, Communications Operator	3,276.00
Salary, Communications Operator	3,276.00
Salary, Secretary	4,039.75
Salary, Secretary	3,407.44
6 School crossing guards @ \$900.00 each ...	5,400.00
Long distance telephone and transportation of prisoners, if so much be necessary	3,000.00
Fingerprint and photo supplies	1,000.00
Contingent Fund	1,000.00
Deputy Sheriffs—uniforms, plain clothes and equipment	7,600.00
Uniforms, School Crossing guards	600.00
Insurance, fuel, repairs and maintenance of county-owned Sheriff's cars, if so much be necessary	21,000.00

Four new cars (four old ones to be traded in),
if so much be necessary 6,340.00

234,014.58

Provided, that uniforms and plain clothes requested by the Sheriff to be used in the law enforcement division shall be purchased semi-annually by the County Board of Commissioners or the Board of Administrators, as appropriate, on competitive basis as needed; *provided*, further, that the time of purchase of summer uniforms and clothes be changed in order to be available for use prior to July of preceding fiscal year. *Provided*, that the Sheriff's office take care of necessary summonses or processes issued by the Judge of Probate. *Provided*, further, that all clothes, equipment and supplies furnished by the Sheriff's office to the Deputies shall be returned to the Sheriff's office immediately after such Deputy shall cease to be employed by the county. *Provided*, further, that the appropriation for long distance telephone and transportation of prisoners be drawn only by proper warrants, such transportation to be used only for prisoners from beyond the borders of Richland County. *Provided*, further, that the County Deputy shall serve as one of the Court Bailiffs, if required to do so by the Sheriff without additional remuneration.

(B) CORONER'S OFFICE

Salary, Coroner	7,574.70
Travel and official expense	1,500.00
Stenographic services, if so much be necessary	1,275.00
Jurors and communication expenses	700.00

11,049.70

Provided, that the Coroner shall call upon county physicians to hold post mortem examinations. *Provided*, further, that the Coro-

ner attest and furnish such affidavits as might be necessary to the Treasurer. *Provided*, further, that the Coroner pay each juror two dollars as a jury fee.

Provided, also that the Coroner shall use his best discretion in having inquests taken down by a stenographer to the end that \$1,275.00 herein appropriated for stenographic services shall in no event be exceeded.

(C) MAGISTRATES AND CONSTABLES

Blythewood, Magistrate, Salary	2,440.05
Blythewood, Magistrate, official travel	300.00
Blythewood, Magistrate, office rent	120.00
Blythewood, Constable, Salary	1,956.21
Columbia, Magistrate, Salary and expense ..	4,407.84
Columbia, Magistrate, Director, Check Clearing House	1,260.00
Columbia, Magistrate, Stenographer, Salary ..	4,159.54
Columbia, Constable, Salary	3,606.92
Columbia, Constable, official travel	300.00
Dutch Fork, Magistrate, Salary	3,451.73
Dutch Fork, Magistrate, official travel	450.00
Dutch Fork, Magistrate, office rent	420.00
Dutch Fork, Magistrate, part-time Stenographer	300.00
Dutch Fork, Constable, Salary	3,713.33
Dutch Fork, Constable, official travel	800.00
Dutch Fork, Constable, school	450.00
Eastover, Magistrate, Salary	2,671.56
Eastover, Magistrate, official travel	600.00
Gadsden, Magistrate, Salary	2,440.05
Gadsden, Magistrate, official travel	300.00
Eastover and Gadsden, Constable, Salary ..	4,967.55
Garners, Magistrate, Salary	3,018.81
Garners, Magistrate, official travel	300.00
Garners, Magistrate, rent, office expense and telephone	640.00
Garners, Magistrate, part-time stenographer ..	300.00
Garners and Lykesland, Constable, Salary ..	3,588.31
Garners and Lykesland, Constable, official travel	900.00

Hopkins, Magistrate, Salary	2,641.46
Hopkins, Magistrate, official travel	300.00
Hopkins, Magistrate, office rent, lights, fuel and telephone	425.00
Hopkins, Constable, Salary	3,335.98
Hopkins, Constable, official travel	750.00
Killian, Magistrate, Salary	2,671.56
Killian, Magistrate, official travel	600.00
Killian, Magistrate, rent, supplies and tele- phone	600.00
Killian, Constable, Salary	3,018.81
Killian, Constable, official travel	600.00
Killian, Magistrate, part-time stenographer .	1,260.00
Lykesland, Magistrate, Salary	3,018.81
Lykesland, Magistrate, official travel	300.00
Lykesland, Magistrate, rent, office expense and telephone	625.00
Olympia, Magistrate, Salary	4,741.51
Olympia, Magistrate, rent and official ex- pense	900.00
Olympia, Magistrate, Stenographer, Salary .	2,940.00
Olympia, Constable, Salary	4,299.03
Olympia, Constable, official travel	1,500.00
Pontiac, Magistrate, Salary	2,671.56
Pontiac, Magistrate, official travel	300.00
Pontiac, Magistrate, rent	550.00
Pontiac, Magistrate, part-time stenographer .	300.00
Pontiac, Constable, Salary	2,671.56
Pontiac, Constable, official travel	300.00
Upper Township, Magistrate, Salary	4,785.18
Upper Township, Magistrate, official travel	600.00
Upper Township, Magistrate, rent and office expense	900.00
Upper Township, Magistrate, purchase of of- fice furniture	600.00
Upper Township, Constable, Salary	3,366.06
Upper Township, Constable, official travel .	600.00
Upper Township, part-time stenographer ..	1,260.00
Waverly, Magistrate, Salary and expense ..	4,437.93
Waverly, Magistrate, rent, office expense and telephone	1,196.50

Waverly, Constable, Salary	3,606.92
Waverly, Constable, official travel	300.00
Waverly, Stenographer, Salary	2,759.46
Magistrate's forms	100.00
Uniforms for Magistrates' Constables	900.00
Jury fees of Magistrates	500.00

 115,094.23

Provided, that any Magistrate's Constable to whom a uniform has been or is hereafter issued shall wear such uniform at all times when performing his official duties. *Provided*, further, that the Magistrates of Columbia, Eastover, Garners, Hopkins, Lykesland and Waverly shall be allowed one additional Constable who shall serve without pay. *Provided*, further, that all Magistrates establish office hours or schedule of hours and certain designated places for trying cases in their respective districts. *Provided*, further, that out of the one hundred dollars for Magistrates' forms herein appropriated, the Supervisor and County Board of Commissioners or the Board of Administrators, as appropriate, shall purchase serially numbered receipts, in triplicate, in sufficient detail so as to provide all pertinent information with respect to cases handled by Magistrates in Richland County; and the Supervisor and Board of Commissioners or the Board of Administrators, as appropriate, shall deliver the receipts to the Treasurer of Richland County, advising how same shall be used. *Provided*, further, that each Magistrate shall make and file with the County Supervisor, each month, a verified report of criminal cases begun before him and their status and disposition, together with a list of all fines collected. The County Supervisor shall not pay any salary to any Magistrate until he has made and filed the verified report herein required

and, further, each Magistrate shall be required to produce and display to the Supervisor the Treasurer's receipt showing that the fines listed as being collected on his report have been paid to the Treasurer, and the Treasurer shall indicate by his stamp thereon that the fines have been paid to the Treasurer and the amount and the date on which the fines were paid, before the Supervisor shall release the Magistrate's pay warrant to him.

(D) CHECK CLEARING HOUSE

Salary, Clerk	3,465.00
Salary, assistant clerk	3,255.00
Supplies	200.00
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	6,920.00

Provided, check clearing house shall be under the direction and supervision of such Magistrate as may be designated by a majority of the delegation, including the Senator. *Provided*, further, that all salaries and expenses incurred are to be approved by the Richland County Delegation.

TOTAL ITEM 3	<hr/> \$367,078.51
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ITEM 4. ROADS AND BRIDGES

(A) ROADS, CONVICTS AND BRIDGES

Maintenance and repair	\$135,000.00
Salary, Captain, Prison Camp No. 2	6,253.80
Salary, 3 Captains of Guards @ \$4,258.80 per annum each	12,776.40
Salary, 4 Foremen of Guards @ \$3,704.00 per annum each	14,816.00
Salary, 9 Patrol Operators @ \$3,760.00 per annum each	33,840.00
Salary, 24 Guards @ \$3,600.00 per annum each	86,400.00
Salary, 1 Mechanic	4,047.82
Salary, 1 Mechanic	3,952.91
Salary, 2 Chaplains	2,546.54

Official travel, Captain, Prison Camp No. 2 ..	720.00
Official travel, 3 Captains @ \$60.00 per month each	2,160.00
Replacement of old equipment, if so much be necessary	30,000.00
Road, street and school signs, if so much be necessary	2,000.00

 334,513.47

Provided, that the Captains of Guards, Foremen of Guards, Patrol Operators and Guards employed by Richland County be paid on the basis of the salary formula as applied to all other county employees.

(B) FARM-TO-MARKET PAVING:

Salary, Superintendent	5,516.24
Travel and official expense of Superintendent	400.00
Salary, Stenographer	3,587.62
Salary, Guard	3,683.08
Salary, 8 Operators	39,882.71

 53,069.65

Provided, that all monies saved on farm-to-market paving contracts handled by the Supervisor and Richland County Board of Commissioners or Board of Administrators, as appropriate, shall be placed in a special account in the Treasurer's office to be used for paving or equipment used in such paving program upon the approval of the Senator and a majority of the Richland County House Delegation. *Provided*, further, that the operators employed by Richland County be paid on the basis of the salary formula as applied to all other county employees.

 TOTAL ITEM 4\$387,583.12

ITEM 5. PUBLIC HEALTH AND WELFARE:

(A) HOSPITALIZATION

I. Inpatient charity\$360,000.00

To be paid only upon claims of the Columbia Hospital to be presented monthly to cover expenses of charity patients, both white and colored, who are residents of Richland County, South Carolina, and admitted by the hospital, all of such claims to be based on a rate of fourteen dollars per day per patient; *provided*, that the County Treasurer is hereby authorized to advance the foregoing appropriation at an amount not to exceed thirty thousand dollars per month; and *provided*, further, that the Board of Trustees of the Columbia Hospital is authorized to place indigent patients in nursing homes of its selection at costs not to exceed \$42.00 per month to the hospital or to pay such money over to the Public Welfare Department for such purposes, and to pay same out of the amount hereinabove appropriated.

Outpatient charity clinic 30,000.00

Provided, that the Board of Trustees of the Columbia Hospital is authorized to hire a part-time director of the clinic at a salary not to exceed \$4,000.00 per year to be paid out of the amount hereinabove appropriated. *Provided*, that the hospital shall cooperate with the State Board of Health and work in conjunction with the county physicians.

II. Good Samaritan-Waverly Hospital, if so much be necessary, for charity 25,000.00

Provided, that this amount shall be paid only upon claims of the Good Samaritan-Waverly Hospital to be presented monthly for hospital costs and expenses of charity patients, who are residents of Richland County, South Carolina, and admitted by the hospital. All of such claims to be based on a charge of \$7.50 per

day, per patient for the first thirty days of hospitalization of a particular patient; on a basis of \$3.00 per day on the next succeeding thirty days of hospitalization of such patient, and thereafter on a basis of \$2.50 per day for succeeding days of hospitalization for that patient; *provided*, that the County Treasurer is hereby authorized to advance the foregoing appropriation at an amount not to exceed \$2,083.33 per month; *provided*, further, that such advance shall not exceed the patient per diem filed by the Good Samaritan-Waverly Hospital for the preceding month.

(C) I. COUNTY HEALTH DEPARTMENT ...	64,752.80
II. Dog Control program	4,946.20
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	69,699.00

Provided, that all fees collected by the Health Department shall be deposited with the County Treasurer to be credited on the county general fund; *provided*, further, that none of the above appropriation shall be spent without the approval of the County Health Officer; *provided*, further, that if the above amount does not equal twenty cents per capita for the county's population according to the official 1950 Federal Census, such additional amount is hereby appropriated. *Provided*, further, that the Director of the County Health Department shall file with the County Board of Commissioners an itemization of the above appropriation on or before July 1, 1964.

(D) SALARY, TWO COUNTY PHYSICIANS	4,027.59
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	4,027.59

Provided, that six hundred dollars of the above amount shall be paid to the county physician for mental examinations of service men and women for admittance to the Veterans Administration Hospital.

(E) WELFARE AGENCIES

(1) Carolina Children's Home	10,000.00
(2) Association of the Blind for South Carolina .	2,000.00
(3) Traveler's Aid Society	600.00

12,600.00

(F) CONVALESCENT HOME

Salary, Superintendent	3,890.70
Salary, Matron	1,885.92
Salary, Maintenance Man	2,636.83
Salary, 2 Nurses @ \$2,477.10 each	4,954.20
Salary, 1 Nurse	2,385.67
Salary, 1 Nurse	1,135.68
Salary, 1 Cook	1,643.68
Salary, 1 Cook	1,453.84
Salary, 1 Laundress	1,643.68
Salary, 1 Maid	1,324.20
Salary, 1 Watchman	2,146.04
Supplies, operation and maintenance	16,217.14
Repairs	2,000.00

43,317.58

Provided, that the Superintendent shall be appointed by the Supervisor, and shall be a person having a suitable medical background and training; *provided*, further, that all monies by way of pensions, contributions or otherwise, paid from any source other than Richland County for maintenance and board of any person maintained and cared for in the Richland County Convalescent Home, shall be turned over and become part of the Richland County General Fund. *Provided*, further, however, that in addition to the appropriations hereinabove provided for supplies, operation and maintenance, the Richland County Board of Commissioners or Board of Administrators, as appropriate, shall have the right to use such monies so paid to supplement the maintenance, support and care of persons maintained and cared for in the Richland County Convales-

cent Home if necessary. *Provided*, further, that complete records of same be maintained and included in the annual county audit.

(G) COUNTY SERVICE OFFICER

Salary, County Service Officer	5,514.76
Salary, Assistant Service Officer	3,881.05
Official expense, Assistant Service Officer ...	240.00
Supplies and equipment	315.19

9,951.00

Provided, that the Assistant Service Officer shall be on call for secretarial assistance, as required, to the legislative delegation or the administrative assistant thereof.

(H) DEPARTMENT OF PUBLIC WELFARE

Salary, Director (Supplement)	1,940.57
Official travel, 5 welfare workers	3,360.00
Supplement to salaries of employees	3,333.66
Child Welfare account, clothing, boarding homes, etc.	2,500.00
Emergency Fund	3,600.00
Telephone	1,000.00
Rent	4,200.00
Heat, lights, water and electricity	1,550.00
Janitor service	786.24

22,270.47

(I) CHILDREN'S HOME

Salary, Superintendent	2,710.38
Salary, Manager	2,502.56
Salary, Matron	2,303.46
Salary, Janitor	1,078.80
Salary, Cook	1,078.80
Operating and maintenance	8,600.00

18,274.00

Provided, that all funds received by the Children's Home from other sources be turned over to the Treasurer of Richland County.

TOTAL ITEM 5\$595,139.84

ITEM 6. AGRICULTURE, FORESTRY AND RE-
LATED AGENCIES

(A) COOPERATIVE EXTENSION WORK

Salary, County Agent	\$ 1,868.72
Official travel, County Agent	180.00
Salary, 2 Assistant County Agents	1,008.00
Salary, Stenographer, County Agent	1,535.94
Salary, Home Agent	1,028.41
Salary, Stenographer, Home Agent	1,182.00
Demonstration materials for Home Agent ...	100.00
White Boys' 4-H Club work	150.00
White Girls' 4-H Club work	150.00
Salary, Colored Farm Agent	1,402.38
Demonstration materials, Colored Farm Agent	100.00
Salary, Stenographer, Colored Farm Agent .	2,826.66
Salary, Colored Home Agent	1,236.66
Office rent, lights, water and fuel, Colored Farm and Home Agents	1,620.00
Demonstration materials, Colored Home Agent	100.00
Colored Boys' 4-H Club Work	150.00
Colored Girls' 4-H Club Work	150.00
Long distance telephone, County Agent	100.00
Long distance telephone, Home Agent	50.00
Long distance telephone, Colored Farm and Home Agents	75.00

15,013.77

(B) OTHER

Salary, County Ranger	1,098.70
Purchase of 2 vehicles	1,733.00

(1) Maintenance and operation of county-owned vehicles

1,800.00

Provided, that the above amount should be expended on the basis of thirty dollars per month per county-owned vehicle, if so much be necessary.

Richland County Cooperative Breeders Association	600.00
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Salary, part-time secretary, Richland Soil Conservation District	1,260.00
	6,491.70

TOTAL ITEM 6\$ 21,505.47

ITEM 7. PUBLIC BUILDINGS

(B) Lights, water and fuel	\$ 12,000.00
(C) Telephones	10,000.00
(D) Insurance—fire and casualty	8,500.00
(E) Salary, Chief Janitor	2,864.20
(F) Salary, Janitor	2,706.95
(G) Salary, Janitor	2,666.86
(H) Salary, Janitor	2,666.86
(I) Salary, Janitor	2,536.89
Salary, Maid	1,655.25
(J) Salary, Elevator Operator	2,997.55
(K) Salary, Elevator Operator	2,907.26
(L) Elevator maintenance	600.00
(M) (1) Salary, Maintenance Engineer	3,938.57
(2) Official expense, Maintenance Engineer	430.00
(N) Expense of building repairs and maintenance, if so much be necessary	3,300.00

TOTAL ITEM 7\$ 59,770.39

Provided, the Maintenance Engineer, Janitors and Maids shall work under the direction and supervision of the County Supervisor or such person as he may designate for the purpose of keeping the Courthouse and County Agriculture Building, including utilities and grounds maintained, clean and in a state of good repair at all times. They shall perform only the duties and work and such hours as the County Supervisor or such person as he may designate may prescribe.

Provided, further, that the hours of operation, maintenance, and cleanliness of elevators, shall be under the supervision of the County Supervisor or such person as he may designate.

ITEM 8. MENTAL HEALTH CLINIC\$ 20,472.04

TOTAL ITEM 8\$ 20,472.04

ITEM 9. MISCELLANEOUS

- (A) For tenure, county employees, twenty-five years' service\$ 975.00
- (B) Voting machines 14,345.00
- (C) South Carolina Retirement System 31,500.00
South Carolina Police Retirement 15,780.00
- (D) Social Security 35,106.00
- (E) National Guard units in Richland County 6,500.00
 - (1) *Provided*, that such sum shall be allocated to the National Guard units in Richland County not on active duty.
- (G) Board of Registration 3,500.00
Provided, that the members of the Board of Registration shall be paid at the rate of ten dollars per day actually served.
- (H) Contingent Fund 40,000.00
- (I) Richland County Library 82,785.00
- (J) The Hearing and Speech Center 5,000.00
- (K) Carolina Carillon 2,000.00
- (L) Columbia Museum of Art 38,000.00
- (M) Town of Eastover, toward drainage improvement 1,250.00
Provided, the Mayor and Councilmen of the Town of Eastover raise at least \$1,250.00 and show to the Board of Commissioners or the Board of Administrators, as appropriate, that such amount is raised and available and that the combined amounts are to be applied toward drainage improvement.
- (N) North Trenholm Volunteer Fire Dept. 2,500.00
 - (1) *Provided*, that all persons within the area covered by the charter of North Trenholm Fire Department shall be served.
- (O) Civil Defense 6,400.00
- (P) Columbia Township Auditorium 10,000.00
- (Q) Industrial Development Commission of the Columbia Chamber of Commerce, if so much be necessary 15,000.00

(R) Sheltered Workshop	3,300.00
(S) Richland-Lexington Counties Joint Planning Commission	3,934.11
(T) Society for prevention of cruelty to animals ..	1,000.00
(U) Historic Preservation Commission	10,000.00
(V) Richland Technical Education Center	37,060.00
<i>Provided</i> , that the student tuition and charges for attendance shall be subject to the approval of the Richland County Legislative Delegation.	
(W) County Group Insurance	12,622.14
(X) Palmetto Outdoor Historical Drama Associa- tion	5,000.00
<i>Provided</i> , in the event the Association fails to reach its goal of \$150,000.00 the appropriation shall be returned to Richland County.	
(Y) USO	5,200.00

TOTAL ITEM 9\$388,757.25

GRAND TOTAL\$2,603,715.33

ITEM 10. EDUCATION DIVISION

(A) BOARD OF EDUCATION

Salary, Superintendent of Education	\$ 3,948.50
<i>Provided</i> , however if the State fails to pay the Superintendent of Education a portion of his salary, then such amount is hereby appro- priated as to bring his salary up to \$8,998.50 and no more.	
Official travel, Superintendent of Education ..	900.00
Salary, Chief Clerk	4,511.24
Salary, Clerk	3,276.00
Salary, School Lunch Clerk, Supplement to State Aid	1,233.33
Per diem and mileage, seven County Board of Education members, if so much be necessary	1,000.00
Extra clerk hire, if so much be necessary	300.00
Office and Staff Expenses	800.00

15,969.07

(B) SPECIAL SERVICES

Salary Supplement of School Lunch Supervisor	3,101.78
Salary Supplement of Attendance Supervisor	3,302.98
Official Travel, Attendance Supervisor	750.00
Salary, Coordinator of Instruction	5,896.80
Official Travel, Coordinator of Instruction ..	660.00
Salary, Jeanes Supervisor	4,586.40
Official travel, Jeanes Supervisor	528.00
Rent utilities, Jeanes Supervisor	180.00
Workmen's Compensation Insurance	3,500.00
Employees' Bond	350.00
	<hr/>
	22,855.96

TOTAL ITEM 10\$ 38,825.03

Provided, that the expenditures listed in Item 10 shall be paid from the fifteen mill tax levied as an equalization fund for the several school districts and the remainder shall be distributed as directed below:

There is hereby levied on all taxable property of Richland County a school equalization levy of fifteen mills and, in addition thereto, there is levied on all taxable property in the school districts, respectively, the tax authorized by law, to wit: in School District No. 1, a tax of thirty-six mills for local school purposes; in School District No. 2, a tax of sixteen mills for local school purposes; in School District No. 5, a tax of thirty-one mills for local school purposes; in School District No. 6, a local school levy, as shall be recommended by the board of trustees of School District No. 5 of Lexington County, of which School District No. 6, Richland County, is a part. *Provided*, that the tax levy for local school and debt service purposes in the Richland County School District No. 6 portion of the district shall not exceed the local school and debt service tax levied on the taxable property of the district in the Lexington County portion of Lexington County School District No. 5. The fifteen-mill school equalization levy shall be collected by the Treasurer of Richland County and both back tax and current tax collections shall be distributed to the districts of the county on a per pupil average daily attendance basis for the fiscal year prior to the collection. *Provided*,

that the Treasurer of Richland County shall transfer to the Richland County Board of Education Fund a sum not to exceed fifteen thousand nine hundred sixty-nine dollars and seven cents, as set forth in Section (A) above, from the proceeds of the fifteen-mill tax referred to above, which sum shall be used for the purpose of paying salaries and expenses of the office of the County Superintendent of Education for the fiscal year 1964-1965. *Provided*, further, that the Treasurer of Richland County shall transfer to the Richland County Board of Education Fund a sum not to exceed twenty-two thousand eight hundred fifty-five dollars and ninety-six cents, as set forth in Section (B) above, said sum to be used for the purpose of paying salaries and expenses for special services of the office of the Richland County Superintendent of Education rendered to Districts 2, 5 and 6 for the fiscal year 1964-1965. This sum shall be transferred from that portion of the proceeds of the fifteen-mill equalization levy apportioned to School Districts 2, 5 and 6. *Provided*, that the local school boards of trustees of School Districts 2, 5 and 6 of Richland County shall expend annually as textbook aid from the proceeds of the fifteen-mill equalization fund a sum of not less than two dollars and fifty cents per pupil officially enrolled in grades one through six, inclusive.

SECTION 2. It shall be the duty of the head of each department to inquire of the Clerk of the County Board of Commissioners or Board of Administrators, as appropriate, at the close of each quarter, the status of the appropriation for his department; and it shall be the further duty of the head of each department, if expenditures are running ahead of appropriations, to bring such expenditures in line with the appropriation. *Provided*, that if any department head exceeds the appropriation for his department, such overdraft shall be deducted from said department head's salary.

SECTION 3. The Treasurer of Richland County is hereby authorized and directed to turn over and deliver to the Board of Trustees of the Columbia Hospital of Richland County all operating funds legally due and in the control and possession of the Treasurer of Richland County for said hospital; and the Board of Trustees of Columbia Hospital of Richland County is hereby authorized and empowered to receipt for and deposit same and deposit all future operating receipts and revenues to its own account or accounts in a bank or banks in the City of Columbia, South Carolina, and disburse

same by checks issued by the duly authorized officer or employee of said hospital.

The Treasurer of Richland County is hereby authorized and directed to turn over to the secretary of the legislative delegation sufficient moneys from the General Fund of the county to pay the cost of supplies and official legislative expense. The secretary to the delegation shall deposit same in a bank to be expended upon approval of the Senator and at least half of the members of the House of Representatives from Richland County.

SECTION 4. All of the county officers of Richland County may close their offices on Saturday of each week at twelve o'clock noon, except in emergency. *Provided*, that all county offices shall be open not later than nine o'clock A. M., and close not sooner than five o'clock P. M. on all other workdays; and *provided*, further, that the minimum workweek for all county employees shall be forty hours.

SECTION 5. The Board of Trustees of School District No. 1 shall file a copy of the annual audit of this school district in the office of the clerk of court within ten days from the preparation thereof, for the benefit of the public, as other public documents are filed in said office. All charitable and other organizations which receive any part of their income from Richland County are hereby required to have an annual audit made at the end of their fiscal year and to file a copy thereof with the Richland County Delegation within ten days after the preparation thereof. Upon failure to file such reports as herein provided for, the Treasurer of Richland County is hereby directed to withhold further payments to said organization until such audit is filed.

SECTION 6. Nothing in this section contained shall apply to School District No. 1 of Richland County. In the payment of expenses incurred in all other school districts of the county a separate warrant or order, directed to the county treasurer, signed by a majority of the board of trustees of the disbursing district, shall be issued direct to each payee in strict conformity with the general school law of South Carolina; *provided*, nevertheless, as follows:

In order to facilitate and expedite the payment of salaries of personnel in all categories regularly employed for a scholastic or calendar year, also for the payment of separate bills, amounting to less than one hundred dollars each for special services or school materials

properly payable from school operation and maintenance funds, it shall be lawful for a board of trustees to issue a consolidated or "master" warrant on the county treasurer in the aggregate amount of all or any portion of the aforesaid salaries and bills due and payable in any current "school" or calendar month, such master warrant to be payable to the school district in the name of its previously designated disbursing agent, preferably the school district superintendent, though any other full-time, adult employee of the district shall be eligible. Each master warrant shall have on its face or back, or on a sheet securely attached thereto, a complete list of all ultimate payees with the amount due to each plainly set forth; and, except for salaries aforesaid, there shall also be securely attached a separately printed or written, fully itemized statement from each ultimate payee showing the amount and nature of the services rendered or supplies furnished. The Richland County Board of Education may (by standing resolution embodying such restrictions as it may impose) authorize the county superintendent of education, in his discretion, to process all such master warrants for payment without prior reference to said county board. The processed master warrant shall be deposited by the district's disbursing agent in a separate account in a Columbia F. D. I. C. bank to the credit of the school district and by such agent disbursed by check to the several payees named on the list aforementioned. All disbursing agents shall keep a neat and permanent record of all their transactions as such agents on uniform record and voucher prescribed by and furnished through the county board aforesaid, and these records shall be available to the public for inspection at all reasonable times. The county superintendent of education shall require all disbursing agents at the proper time to submit their records and vouchers to the auditors employed to make the annual audits of the Richland County records and such auditors shall check and verify same as an integral portion of the county school accounts. Each disbursing agent shall furnish the district at its expense a fidelity bond in the penal sum of not less than five thousand dollars, or as much more as the district board of trustees may deem advisable.

The conditions set forth in the foregoing proviso of this section are joint and not severable and the proviso, in its entirety, is to be construed as an optional alternate procedure in paying salaries of whatever amount and separate bills, regardless of number, amounting to less than one hundred dollars each.

SECTION 7. All appropriations made herein and all unappropriated and unpledged surplus funds in the hands of the Treasurer of Richland County are subject to the right and authority of the Senator and at least one-half of the members of the House Delegation from Richland County to alter, increase or deduct therefrom at any time, when, in their judgment, such alterations, increases or deductions are necessary for the best interest of the county and/or to conform with the revenue expected during the life of this act. *Provided*, however, that no such action shall be taken except in the course of a duly called public meeting of the delegation, after due notice of the heads of the respective departments to be thereby affected. The Treasurer of Richland County is authorized to extend credit for recording Federal agricultural papers.

SECTION 8. All salaried constables in Richland County shall be deputized to preserve order in their respective magisterial districts.

SECTION 9. All county-owned construction equipment, automobiles, station wagons and trucks except two such automobiles used by the sheriff's office, one for detective work and the other for process serving, and the automobile used by the Supervisor of Richland County, shall be, within ten days from the effective date of this act, marked, stenciled or painted on both front doors of said vehicles as follows: "Richland County" (in letters not less than three inches in height) and directly under said words the name of the county department which operates these vehicles (in letters not less than two inches in height). After ten days from the effective date of this act no person, company or corporation shall service, supply or equip any county-owned construction equipment, automobiles, station wagons or trucks which are not marked pursuant to the terms of this section. After ten days from the effective date of this act no county funds shall be paid out for services to or supplies and equipment furnished for county-owned automobiles, construction equipment, station wagons or trucks which are not marked pursuant to the terms of this section. Heads of county departments or agencies shall maintain a list reflecting the make, model, serial number and South Carolina license number of all county-owned vehicles and equipment in his department or agency and shall report to the Richland County Delegation prior to action taken when any county-owned vehicles or equipment are traded or disposed of in any way whatsoever. The markings herein provided for shall be kept visible at all times.

SECTION 10. Whenever, during the effective period of this act, a vacancy occurs in any employee position or classification provided for in this act and in the judgment of the department or agency affected it is necessary to fill such position or classification, the person newly employed shall be hired at not more than the lowest salary appropriated in this act for such position or classification within the department affected; and if there be no such other position or classification in such department the person newly employed shall be hired at not more than the lowest salary for similar positions or classifications for other departments or agencies provided for herein.

SECTION 11. All revenue accruing to Richland County for reimbursement, or otherwise, in excess of the amount necessary to pay appropriations herein made, shall be allocated to the general fund, unless otherwise directed by the Senator and at least one-half of the House members.

SECTION 12. All appropriations made in this act for travel and/or official expense shall be paid monthly on vouchers properly probated, but the amounts so paid monthly shall not exceed a sum equal to one-twelfth of the annual amount appropriated.

SECTION 13. Any employee who shall have tenure of twenty-five years or more in Richland County employ shall receive an additional sixty-five dollars per year, prorated on a monthly basis, over and above the salary provided in this act.

SECTION 14. If any section, paragraph, item or provision of this act shall be held invalid by a court of competent jurisdiction, such invalidity held shall not affect, impair or invalidate any remaining section, paragraph, item or provision of this act.

SECTION 15. All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency.

SECTION 16. This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R703, H1988)

No. 1348

An Act To Authorize The Governing Body Of Saluda County To Borrow Not To Exceed The Sum Of Twenty-Two Thousand Five Hundred Dollars For Additions To The County Agricultural Building, And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Saluda County may borrow money.—The Governing Body of Saluda County is authorized to borrow not to exceed the sum of twenty-two thousand five hundred dollars, or so much thereof as is necessary, for additions to the county agricultural building. The loan shall be evidenced by notes signed by the Chairman of the Governing Body and the Treasurer of Saluda County, and shall be payable at such times as may be mutually agreed upon by the governing body of the county and the lender, at not to exceed three per cent per year.

SECTION 2. Payment.—The rentals from office space occupied by the United States Soil Conservation Service, the United States Farmers Home Administration, the United States Agricultural Stabilization and Conservation Service, (ASC), and the Saluda County Farm Bureau are pledged for the payment of the installments and interest as they become due. However, in the event the rentals from county office space should be insufficient to meet the principal and interest of any note when it becomes due, the governing body shall notify the auditor of the county, who shall levy, and the treasurer shall collect a tax on the property of the county sufficient to meet the deficit in order that all notes given pursuant to the terms of this act shall be paid in full as they become due.

The Governing Body of Saluda County shall reserve the right to pay any note prior to its maturity date at a premium figure.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1964.

(R827, H2255)

No. 1349**An Act To Provide For A Committee In Saluda County To Study The Need For A Nursing Home.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Committee to study need for a nursing home in Saluda County created.—There is hereby established a committee of five members to be appointed by the Saluda Legislative Delegation, including the Senator, to study the need for a nursing home in the county. The committee shall meet as soon after its appointment as is practicable and elect a chairman and such officers as it deems necessary. The committee shall study the nursing home requirements of the county and also the feasibility of establishing such a home for Saluda County. The committee shall report its findings and recommendations to the delegation prior to the convening of the 1965 session of the General Assembly.

SECTION 2. Compensation.—The members of the committee shall receive such mileage and per diem as now provided by law for boards and commissions which shall be paid from the contingent fund of Saluda County.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of February, 1964.

(R920, H2351)

No. 1350**An Act To Amend An Act Of 1964 Bearing Ratification No. 703, Authorizing The Governing Body Of Saluda County To Borrow A Certain Sum Of Money, So As To Increase The Maximum Amount Which May Be Borrowed.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 1348 of 1964 amended—Saluda County may borrow money.—Section 1 of an act of 1964 bearing Ratification No. 703 is amended by striking on line two the word “two” and inserting in lieu thereof the word “five”. The section when amended shall read as follows:

“Section 1. The Governing Body of Saluda County is authorized to borrow not to exceed the sum of twenty-five thousand five hundred dollars, or so much thereof as is necessary, for additions to the county agricultural building. The loan shall be evidenced by notes signed by the Chairman of the Governing Body and the Treasurer of Saluda County, and shall be payable at such times as may be mutually agreed upon by the governing body of the county and the lender, at not to exceed three per cent per year.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R1218, H2696)

No. 1351

An Act To Provide For The Levy Of Taxes For Saluda County For School And County Purposes For The Fiscal Year Beginning July 1, 1964; To Provide For The Expenditure Thereof; And To Provide For Other County Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of mills as is necessary to raise the amount of money hereinafter appropriated is hereby levied on all taxable property in Saluda County for school and county purposes for the fiscal year July 1, 1964 to June 30, 1965, for the amounts and purposes hereinafter mentioned :

Item 1. Roads and Bridges :

Maintenance of Roads and Bridges, tractor force
and convicts, and purchase of concrete pipe . . . \$ 50,000.00
Any balance that might be in Item 1 at the end
of the fiscal year (June 30, 1964) shall be trans-
ferred to Item 1 for the new fiscal year 1964-
1965, and shall be in addition to the amount set
forth in Item 1.

Total, Item 1 \$ 50,000.00

Item 2. Salaries, payable monthly :

Clerk of Court \$ 1,100.00
Treasurer (County’s part) 1,000.00

Auditor (county's part)	1,000.00
Chairman, Board of Commissioners, for full time	4,140.00
Travel expense	1,500.00
The Chairman of the Board of Commissioners, in connection with his employment as such, shall be furnished gasoline from the pumps located at the County Home for official business.	
Two County Commissioners @ \$700.00 each, and expenses	1,400.00
Clerk of Board and Tax Collector	2,950.00
Superintendent of Education, salary	450.00
Travel expense	600.00
Judge of Probate	2,950.00
<i>Provided</i> , that the Judge of Probate shall receive in addition to the above all fees collected by him for the issuance of marriage licenses. The fee for each such application and marriage license issued by him shall be \$2.50.	
Magistrate at Courthouse	1,625.00
Magistrate at Ridge Spring	875.00
Constable at Ridge Spring, to be deputized by Sheriff, at Sheriff's discretion	465.00
Two Magistrates @ \$375.00 each	750.00
Two Constables to Magistrates @ \$150.00 each	300.00
Coroner and his Deputy	600.00
Clerical help, \$10.00 for each case	120.00
Travel expense	400.00
Janitor, full time at Courthouse, Jail, Agricultural Building and grounds at \$137.50 per month	1,650.00
County Attorney	150.00
County Physician	480.00
<i>Provided</i> , that the County Physician shall act as one of the examining physicians in each lunacy case and assist in all post mortems, without extra compensation.	
Clerical help for Clerk of Court's Office	3,200.00
<i>Provided</i> , that such help shall be employed by the Clerk of Court.	
Treasurer's expenses	300.00
Auditor's expenses	300.00

Clerk of Court's expenses	350.00
Sheriff	2,950.00
Sheriff's expenses	1,500.00

Provided, that the Sheriff and his family shall occupy the living quarters of the jail and shall have full use of the county property therein, including the payment for lights and water.

Provided, further, that the Sheriff shall receive in addition to the above all fees collected in his office.

Two Deputy Sheriffs (to be appointed by the Governor, upon the recommendation of the Sheriff and a majority of the delegation):

Deputy Sheriff, living at Saluda:

Salary	2,990.00
Expenses	1,200.00

Deputy Sheriff, living at Ward:

Salary	2,690.00
Expenses	1,500.00

Provided, it shall be the duty of each of the deputies to assist the tax collector in collecting delinquent taxes by serving notice of executions or otherwise as directed by the tax collector. Such deputies shall receive \$3.50 for each execution served. The two deputies above-mentioned shall be clothed with the authority to arrest without warrant any person known or suspected by them, upon satisfactory information, of violation of any of the criminal laws of the State. *Provided*, that any person arrested shall be taken immediately to the most convenient magistrate and a warrant procured; *provided*, further, that the deputy sheriffs may perform all duties usually required of rural policemen and shall patrol the county as they may be directed by the Sheriff; and *provided*, further, that if the deputies fail to do their duty by not enforcing all laws they shall be subject to removal at any time by the Governor, upon the recommendation of a majority of the legislative delegation. The Sher-

iff or deputy sheriffs shall transfer all lunatics to the asylum free of all costs, except actual expenses. *Provided*, further, that the deputy sheriffs shall work under the direction of the Sheriff and shall devote their entire time to the duties of the office. The Sheriff or deputy sheriffs shall act as Constable for the Magistrate for Saluda Courthouse.

Tax Collector	1,600.00
Tax Collector, expenses	150.00

Provided, that the Tax Collector shall clear his records of all personal property delinquent taxes, including automobiles, etc., one year from date of executions from the Treasurer's office.

Total, Item 2	\$ 43,235.00
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Item 3. Board of Assessors and Equalization, if so much be necessary

	\$ 1,500.00
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Provided, that each member of the board of assessors shall receive compensation in the sum of thirty dollars (\$30.00) annually; and *provided*, further, that the county board of equalization shall meet upon the call of the county auditor for not exceeding three days in any one year and shall receive per diem of ten dollars per day for not exceeding three days.

Total, Item 3	\$ 1,500.00
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Item 4. Jail expenses, including dieting of prisoners at one dollar and forty cents per day each, and bedding, less lights

	\$ 2,500.00
Jurors and witnesses	1,800.00
Water and fuel—Courthouse and Agricultural Building	1,450.00
Lights for Courthouse Square	112.00
Lights for Jail, Agricultural Building, Courthouse and County Farm	2,200.00
Saluda Chamber of Commerce, industrial developments	750.00
National Guard Unit	1,200.00

Provided, that this amount shall be divided equally between the two companies.

Telephones located as follows: one in Treasurer's office, one in Commissioner's office, one in Judge of Probate's office, one in Civil Defense office, one in County Jail, one in Auditor's office, one in Superintendent of Education's office, one in Clerk of Court's office, one in Magistrate's office, one at County Home, and one in Sheriff's office; and long distance calls	1,450.00
For Sheriff's travel expense outside Saluda County	100.00
Courthouse supplies and Agricultural Building (including janitor and two telephones for Agricultural Building)	1,425.00
Twelve months' rent, lights, fuel for Welfare Department, at \$45.00 per month	540.00
Twelve months' rent for Unemployment Board	180.00
Vital Statistics	125.00
Saluda Standard—printing county reports	125.00
Miscellaneous office expenses, if so much be necessary:	
Clerk of Court	1,200.00
Sheriff	125.00
Judge of Probate, office equipment	300.00
Treasurer	250.00
Office expense for tax billing machine	500.00
Superintendent of Education	75.00
Auditor	275.00
Commissioner's Office	150.00
Magistrate's Office, printing necessary blanks	150.00
<i>Provided</i> , that the bills for printing herein authorized shall be paid upon separate bills rendered by any county officer.	
<i>Provided</i> , magistrates' jurors shall receive as compensation one dollar per day.	
Tax Collector, books and stationery	225.00
<i>Provided</i> , above office expense appropriations shall be excepted from provisions of Section 5.	
Auditing County Officers' Books	500.00

Agricultural Department:

4-H Boys' Club	50.00
4-H Girls' Club	50.00
F. F. A. Boys' Club, Saluda	75.00
J. H. A. Girls' Club, Saluda	75.00
F. F. A. Boys' Club, Hollywood	75.00
J. H. A. Girls' Club, Hollywood	75.00
F. F. A. Boys' Club, Ridge Spring	75.00
J. H. A. Girls' Club, Ridge Spring	75.00
N. H. A., Riverside	75.00
N. F. A., Riverside	75.00
County Agent	75.00
Home Demonstration Agent	100.00
Supplement to present County Agent's salary ..	500.00
Travel expense	700.00
Welfare Board	648.00
Health Center	4,000.00
Historical Commission	250.00
Mental Health	2,200.00
Civil Defense	2,275.00

Total, Item 4\$ 29,155.00

Item 5. Miscellaneous Contingent:

Provided, that the Saluda County Board of Commissioners may issue vouchers against this fund for the items herein specified and not exceeding the amounts set forth for the year 1954-1955:

All court expenses as may be incurred in excess of the specified appropriations in this act.

Coroner's jurors shall receive three dollars each and ten cents per mile for each case of court.

Mileage shall be paid for the distance from home to place of inquest one way only.

Post mortems, inquests and lunacies

Transportation to State Hospital

Insurance on officers' bonds

Saluda County's proportional expense of S. C.

Retirement System and Withholding Tax

Insurance and Sinking Fund

Insurance on county employees
Any funds paid out of the general miscellaneous
contingent fund account, not approved in the
county appropriations act, must be approved by
the Saluda County Legislative Delegation.

GRAND TOTAL	\$123,890.00
Less Estimated Revenue, other than Taxes:	
Gas Tax	\$ 54,805.00
Income Tax	14,000.00
Other Revenue	14,904.00
Total	\$ 83,709.00
TO BE RAISED BY TAXATION	\$ 40,181.00

SECTION 2. The fee that may be charged by the Clerk of Court for Saluda County for the recording, filing, indexing or registering of any mortgage or other instruments conveying an interest in, or creating a lien on, the crops growing or to be grown, or on personal property, made to any corporation under the Act of Congress known as the Farm Credit Corporation of 1933, if and as amended, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States or any department, agency, instrumentality or officer thereof, shall be one dollar; and a copy or duplicate of such instrument shall be furnished to the recording officer; *provided*, that Saluda County is specifically excepted from the provisions of Section 27-61, of the 1962 Code. Notwithstanding the provisions of Section 27-96 of the 1962 Code, the clerk of court shall charge one dollar and seventy-five cents for recording a deed, and one dollar and seventy-five cents for recording a mortgage on real estate.

SECTION 3. The county officials of Saluda County are hereby directed to collect the fees allowed them by law as a part of their salaries. The county treasurer shall retain twenty-five cents additional out of every tax execution fee collected and the tax collector shall retain one dollar and fifty cents out of every such execution.

SECTION 4. In anticipation of the collection of 1964 taxes, the county board of commissioners and the treasurer are hereby authorized to borrow an amount sufficient to meet the expenses of the county government for this fiscal year and pledge the taxes for 1964 in payment thereof, and the full faith, credit and taxing power of Saluda County are hereby pledged for the payment of such note or notes as are issued under the authority of this section.

SECTION 5. The above accounts shall be kept separate and distinct and expended only for the purposes for which appropriated; *Provided*, no bill or claim shall be approved or paid unless the same shall state fully what it is for, giving the kind and quantity of the thing or commodity which it represents in addition to the amount and time when furnished. Any note or contract made by any officer of the county or county board in excess of the levy and appropriation herein shall be null and void insofar as the county is concerned; *provided*, however, that any officer or employee who disregards any of the provisions herein without the written consent of the Saluda County Legislative Delegation in the General Assembly, as kept on file in the office of the county treasurer, shall be guilty of malfeasance in office and subject to removal upon complaint of the Saluda County Legislative Delegation, in addition to the punishment now provided by law.

SECTION 6. All county officers shall make a complete report to the county treasurer of all fees, fines and monies received and disbursed by them, and file copies thereof with the Clerk of Court of Saluda County for the periods ending June 30, 1964, September 30, 1964, December 31, 1964, March 31, 1965 and June 30, 1965, and such reports shall be furnished not later than the tenth of the following month. Without further notice, such reports shall be public records and subject to inspection by the people of the county. Any person who fails to file his report will not be paid his salary until the report is filed and he may be removed from office, in the discretion of the legislative delegation.

SECTION 7. All county officers shall be paid monthly and such payment shall not exceed one-twelfth of the amount appropriated. Not more than one-sixth of the amount of Item 1 shall be paid out in any one month, except in case of emergency; and if it be necessary and by consent of the delegation.

SECTION 8. As soon as the total amount of property for taxation has been ascertained for the year 1964, the auditor and treasurer, jointly, are authorized to increase or decrease the levy hereinbefore made to meet the appropriations herein provided, taking into account all other funds on hand for the purpose, gas tax as estimated, and other indirect revenues.

SECTION 9. The chairman of the board of commissioners has entire care and supervision of all county buildings and grounds, and he shall employ a janitor and shall have supervision over the janitor at all times. The chairman may designate someone to assist him during his absence.

SECTION 10. Any balance in any item, except Item 1, unexpended at the beginning of the fiscal year 1964-1965, shall be placed in the contingent account. All fines, forfeitures and forfeited land sales collected shall be placed in the contingent fund.

SECTION 11. The Treasurer is hereby authorized and required to place the money coming from whiskey, wine and beer tax in the fiscal year 1964-1965 in a separate fund to be known as "General School Fund", and this fund may be used at the discretion of the county superintendent of education by and with the consent of the county board of education.

SECTION 12. If, for any cause, the office of the chairman of the board of county commissioners, or either of the two commissioners, shall become vacant, the Governor shall, upon the recommendation of the Saluda County Legislative Delegation, appoint his successor.

SECTION 13. All offices of the courthouse may be closed at 12:30 o'clock p. m., every Saturday afternoon and every Thursday afternoon.

SECTION 14. The expenditure of any funds from the State surplus coming to the county treasurer for school purposes or otherwise must be approved by the county delegation.

SECTION 15. The county farm shall be managed by the chairman of the board of county commissioners in cooperation with other members of that board to the end that the farm may supplement the funds provided for the county chain gang.

SECTION 16. A reasonable rent shall be charged Federal agencies renting county-owned property. Such monies as are received from

this source shall be placed in a special agricultural fund to be used for improvements on such buildings as are rented pursuant to the terms of this section, or for other purposes in the discretion of the legislative delegation.

SECTION 17. No tax levy for school purposes shall be effective unless approved by the legislative delegation from the county.

SECTION 18. All magistrates of the county shall be bonded in the sum of one thousand dollars in a bonding company approved by the board of county commissioners, and such premiums as may be required shall be paid from funds of the county.

SECTION 19. The court crier and bailiffs for the county shall receive the same compensation as provided by law for petit jurors of the circuit court.

SECTION 20. All county notes shall remain with the treasurer when paid and shall not be transferred to any other office or officer.

SECTION 21. All county offices shall be closed each year on the following days: January first, July fourth, the first Monday in September, Thanksgiving Day, and December twenty-fifth and twenty-sixth.

SECTION 22. If any section of this act shall be found to be unconstitutional, it shall not be construed to affect the validity of any other section hereof.

SECTION 23. The county legislative delegation shall have the right at any time to alter any of the salaries or appropriations herein; *provided*, the alteration shall be in the form of a letter addressed to the proper authorities and signed by both members of the delegation.

SECTION 24. This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

(R790, H2195)

No. 1352**An Act To Extend The Open Season For The Hunting of Quail In Spartanburg County And Union County And Rabbits in Greenville County For The Year 1964 Only.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Quail season in Spartanburg and Union Counties—rabbit season in Greenville County.—Notwithstanding any other provision of law to the contrary, the open season for the hunting of quail in Spartanburg County and Union County and rabbits in Greenville County shall be to and including March first for the year 1964 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of February, 1964.

(R1131, H2504)

No. 1353**An Act To Make Supplemental Appropriations For Spartanburg County For The Fiscal Year 1963-1964 From The General Fund Of The County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby appropriated from the General Fund of Spartanburg County, as a supplemental appropriation for the fiscal year 1963-1964, the following:

Examination of Mentally Ill	\$ 1,000.00
Stationery and Supplies for All County Offices	5,000.00
Telephone Service	2,000.00
Transcripts and Inquests	800.00
Jurors Civil Courts and Magistrates	500.00
Engineer and Maintenance for City-County Police	
Radio	2,600.00
Medicine	200.00
Post Mortems	500.00
Dieting Prisoners and Expense	3,500.00
Janitor Service	5,000.00
Supplies	1,000.00

Utilities	3,000.00	
Block Map Salaries, Equipment and Supplies	2,000.00	
Payment on Installment on Loan of Sinking Funds and Property Division (Due 5-7-64)		
Principal	\$3,600.00	
Interest (on 14,400.00)	576.00	4,176.00

For Purchase and/or Trade-in for Three Automobiles for the Office of Sheriff; <i>Provided</i> , This Appropriation Is to Be Expended as Directed by the County Board of Spartanburg County	6,500.00	
County Registration Board; <i>Provided</i> , This Appropriation Is Disbursed According to the Schedule of Salaries and Expenses Filed with the County Board of Spartanburg County	3,000.00	
Department of Public Welfare:		
Salary Supplements	1,361.99	
Social Security and Retirement	262.98	
Child Welfare Mileage	963.13	
Secretary Spartanburg Legislative Delegation	200.00	
Total	\$ 43,564.10	

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1154, H2611)

No. 1354

A Joint Resolution Proposing An Amendment To Section 34 Of Article III Of The Constitution Of South Carolina, 1895, Relating To The Establishment Of A Civil Service Commission In The City Of Spartanburg.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article III, Section 34, State Constitution, proposed—civil service commission for City of Spartanburg.—There is proposed the following amendment to Section 34 of Article III of the Constitution of this State: add to the

end of the section the following proviso. "*Provided*, there is hereby created a civil service commission in the City of Spartanburg for the benefit of the police department, including its chief, and fire department, including its chief, under such terms and conditions as prescribed by the General Assembly."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 34 of Article III of the Constitution of this State be amended so as to permit the City of Spartanburg to create a civil service commission for the benefit of its firemen and policemen?"

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment', and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

SECTION 3. Establishment of commission if amendment ratified.—In the event that the election herein provided results favorably to the amendment and the amendment subsequently is ratified, the terms and conditions prescribed by the General Assembly shall be consistent with the provisions of Article 3, Chapter 8, Title 47 of the 1962 Code, except that applicants for positions of civil service may reside anywhere in Spartanburg County.

Ratified the 15th day of April, 1964.

(R1271, S805)

No. 1355

An Act To Authorize The Board Of Trustees Of Spartanburg County School District No. 4 And The County Treasurer To Borrow Not Exceeding Fifteen Thousand Dollars For School Purposes And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg County School District 4 may borrow money.—The Board of Trustees of School District No. 4 and

the Treasurer of Spartanburg County are authorized to borrow not exceeding fifteen thousand dollars for school purposes from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note to be executed by the Chairman of the Board of Trustees of School District No. 4 and the treasurer of the county. The note shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note. *Provided*, the borrowers reserve the right to anticipate the payment of part or all of the loan on any annual instalment date.

SECTION 2. Payment.—For the payment of the note the auditor shall levy and the treasurer shall collect an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any instalment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1278, S843)

No. 1356

An Act To Provide For The Holding Of Elections In Cowpens Water District In Spartanburg County And In The Adjoining Area To Determine Whether The Beacon Light Road Area Shall Become A Part Of The Water District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Area may be annexed to Cowpens Water District if election favorable.—The Cowpens Water District Commission may declare annexed to and incorporated into the Cowpens Water District, if the election required by Section 2 of this act shall be held and shall result favorably, the following described territory in Spartanburg County:

All that area located between the present Cowpens Water District boundary line north of a line extending from the Cowpens Water District boundary line on the southwestern side of Highway No. 59 beginning at a point 300 feet southeast of Highway No. 59 at the boundary of Cowpens Water District and running in a line approximately (.9) nine-tenths of a mile parallel 300 feet southeast of Highway No. 59 in a southwesterly direction to the boundary of the Clifton Manufacturing Company to a point west of Highway No. 107; thence continuing along the boundary of the property of Clifton Manufacturing Company to a point approximately 400 feet west of Highway No. 107; thence northerly parallel to Highway No. 107 to the existing boundary of Cowpens Water District.

which is hereinafter referred to as the Beacon Light Road area. Such action shall be taken by resolution of the Cowpens Water District Commission and certified copies thereof and copies of a plat of the area above described and entitled "Map of Beacon Light Road area" shall be subsequently filed in the offices of the Auditor, Treasurer and Clerk of Court of Spartanburg County.

SECTION 2. Election to be held.—The Commissioners of Election of Spartanburg County shall conduct a special election on June 9, 1964, in the Cowpens Water District and in the Beacon Light Road area, as described in Section 1 of this act, for the purpose of submitting to the qualified electors of the Cowpens Water District and the Beacon Light Road area the following question: "Shall the territory in Spartanburg County, known as the Beacon Light Road area, as described on a plat entitled 'Map of Beacon Light Road area', be annexed to and become a part of the Cowpens Water District in Spartanburg County?"

YES
NO"

SECTION 3. Conduct of election.—The Commissioners of Election of Spartanburg County shall:

- (1) Conduct a special election prescribed in Section 2.
- (2) Give notice of the holding of the election by publication of notice thereof not less than once a week for three successive weeks prior to the date of the election in one or more newspapers of general circulation in Spartanburg County. Each notice shall state the question to be submitted.
- (3) Prescribe the form of ballot to be used in such election and to cause an appropriate number of ballots to be printed. Each ballot shall contain suitable instructions advising each voter that if he favors the affirmative of the question voted upon he shall strike through the word "NO" and that if he favors the negative of the question he shall strike through the word "YES".
- (4) Appoint necessary managers at each precinct in whole or in part in the Cowpens Water District and in the Beacon Light Road area.
- (5) Receive the returns of the managers and declare the results of the election and certify the results to the Clerk of Court of Spartanburg County and the Secretary of State within ten days of the date of the election. Except as herein provided, the election shall be conducted in accordance with the South Carolina Election Law.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1138, H2503)

No. 1357

**An Act To Validate Certain Expenditures And Disbursements
Of Spartanburg County And The Actions Of Officials Thereof.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Expenditures by Spartanburg County validated.—
The following disbursements, expenditures and actions authorized
by the Legislative Delegation from Spartanburg County are hereby
validated:

Special Repairs County Jail \$ 7,500.00

Approved purchase Radio and Sirens Mayo
& Drayton, to be paid from For'd Bal-

ances: Radios and Sirens For'd 7/1/63		
	\$1,368.77	
Fire Radio and Communication		
For'd 7/1/63	1,581.23	
	<hr/>	
	\$2,950.00	
Amended Proviso in the 1963-1964 Appropriation Bill under Item 4 Roads & Bridges Mach. & Equip. to read "(2) Motor Graders" instead of "(1) Motor Grader"		
Block Map Project-Directors Salary		5,000.00
Authorized an amount due City for Social Security & Workmen's Compensation for two men employed at Central Fire Alarm System to be paid from the \$300.00 Appropriation (Heat, Lights & Water for Fire Departments \$300.00)		
Overtime Work-Treasurer's Office		2,000.00
Cost of Tabloid, Spartanburg County		3,300.00
Radios and Sirens, Reidville Fire Department, Provided that 1/2 of the Amount is reimbursed by the Federal Government when available		1,770.00
Collision Insurance Rural Policemen Not to exceed \$50.00 each car		
Building Communication Center-Civil Defense \$7,310.29 City pay 1/2 \$3,655.15		
: County Previously Paid	775.29	
: Authorized to be Validated	2,174.56	2,174.56
: Amount to be Validated	705.29	705.29
	<hr/>	
	3,655.14	
Additional Appropriation Pipe and Bridge Material		20,000.00
Stationery and Stamps, Legislative Delegation		309.98
Additional—Operation of Cars		6,500.00
General Hospital Charity Patients Month of May 1963 paid from current Year's Appropriation		\$ 22,146.50

General Hospital Charity Patients Month of June 1963 paid from Current Year's Ap- propriation	25,751.90	47,898.40
Arkwright Fire Department		500.00
Signs—Parade Car "Miss Spartanburg" ..		6.18
Additional Funds for Law Library and same be in Deficiency Bill, with proviso that the Spartanburg Bar Association pay to County the sum of \$10.00 for each Bar Member who had practiced over five years		2,500.00
Authorized County Board to utilize unused funds for Special Repairs County Jail to make changes in Block Map Office		
Total		\$100,164.41

SECTION 2. Time effective.—This act shall take effect upon ap-
proval by the Governor.

Approved the 17th day of April, 1964.

(R1359, H2486)

No. 1358

**An Act Relating To The Fiscal Affairs Of Spartanburg County,
Making Appropriations Therefor, And Levying Taxes For The
Fiscal Year Ending June 30, 1965.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax levy of thirty-one (31) mills is hereby levied
on all taxable property in Spartanburg County for county and school
purposes for the fiscal year beginning July 1, 1964, and ending June
30, 1965, for the amounts and purposes hereinafter mentioned and
set forth herein:

ITEM 1. ADMINISTRATIVE DEPARTMENT

(A) 1. Auditor's Office

Salary, Auditor \$ 3,812.15

The annual salary of the County Auditor shall
be paid from the State and County funds and

shall not exceed \$7,852.55, and the appropriation for County Auditor shall be adjusted accordingly.

Travel and Official Expenses, Auditor	650.00
Chief Clerk (A)	4,575.38
Senior Clerk (C)	3,373.41
Senior Clerk (C)	3,373.41
Senior Clerk (C)	3,373.41
Recording Clerk (D)	2,959.01
Recording Clerk (F)	2,404.01
Map Book Clerk (one-half salary) (D)	1,932.14

The clerk who maintains the property map installed in the office of County Auditor shall also verify all automobile registrations. The payment of such clerk is contingent upon the City of Spartanburg paying an equal amount.

2. Board of Assessors and Equalization:

Outside City	2,000.00
Travel	650.00

The Board of Assessors and Equalization for outside the city shall be paid \$12.50 each per day and seven cents per mile one trip.

Provided, that of the \$2,000.00 above appropriated the County Auditor may expend the sum of \$600.00 for clerical help for the Board of Assessors.

Spartanburg City	2,579.85
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The salaries for the Board of Assessors and Equalization for Spartanburg City shall be prorated on the basis of three-fifths to be paid by Spartanburg County and two-fifths by the City of Spartanburg.

Extra Clerical Help	3,622.50
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Extra clerical help to be expended in accordance with county personnel and salary policies.

Automobile Registration Cards	250.00
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Total, Sections (A) 1, and (A) 2	35,555.27
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(B) Treasurer's Office

Salary, Treasurer	3,812.15
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The annual salary of the County Treasurer to be paid from State and County funds shall not exceed \$7,852.55 and the appropriation for County Treasurer shall be adjusted accordingly. Profit from the sale of Revenue Stamps shall accrue to the County Treasurer.

Assistant Treasurer (A)	4,575.38
Receiving-Paying Teller (B+—)	4,575.38
Receiving-Paying Teller (B+—)	4,575.38
Receiving-Paying Teller (B)	4,042.21
Receiving-Paying Teller (B)	3,894.91
Senior Clerk (C)	3,373.41
Senior Clerk (C)	3,373.41
Outside Tax Collector No. 1 \$4,685.63	
Outside Tax Collector No. 2 \$4,000.00	8,685.63
Bank Charges	100.00
Travel—Outside Tax Collectors Travel to be paid for at the rate of seven cents per mile upon duly itemized and sworn statements.	

Total, Section (B)	41,007.86
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(C) Clerk of Court's Office

Salary, Clerk of Court	7,852.55
Deputy (A)	4,575.38
Chief Clerk (B)	4,189.50
Senior Clerk (B)	4,042.21
Clerk-Stenographer (D)	3,076.91
1 Check writing and bookkeeping machine ..	4,974.90

Total, Section (C)	28,711.45
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(D) Office of Register Mesne Conveyance

Salary, Register Mesne Conveyance	7,852.55
Deputy Clerk (A)	4,575.38
Senior Clerk (C)	3,631.64
First Clerk (E)	2,622.54
Index Clerk (E)	2,622.54
Photo Copy Machine Operator (D)	3,194.82
Microfilm Operator (D)	3,313.01
Recording Clerk (D)	2,959.01
Recording Clerk (E)	2,731.38

Recording Clerk (D)	2,959.01
Recording Clerk (E)	2,513.70
Microfilm Processor	2,395.00

Total, Section (D) 41,370.58

All fees collected by the Register of Mesne
Conveyance for making copies of all certifica-
tions shall accrue to that office.

(E) Office of County Board

County Board Members	1,984.50
Clerk and Secretary, County Board	7,852.55
Travel, Clerk and Secretary	900.00
Assistant Clerk (A)	4,575.38
Chief Clerk (B)	4,189.50
Clerk-Stenographer (F)	2,404.01
County Board Contingent	2,500.00
County Attorney	3,150.00
County Physician	1,836.11

The appropriation for the County Physician
for medical work at the County Jail and Farm
includes V.D. treatment of county prisoners
at County Jail.

Examination of the mentally ill 3,900.00

Provided, no physician shall be paid in excess
of ten dollars for any one examination.

Insurance—County-owned cars	200.00
Operation and upkeep—County-owned cars .	6,000.00
Workmen's Compensation Insurance	7,000.00
Stationery and supplies for all County offices	36,000.00
Bonds of Officers and County Officials	1,650.00
Office Equipment	4,000.00

Equipment—Treasurer's Office

Mechanical Kard Veyers including Sales Tax 12,339.30

RMC, incidentals and convention expense .. 600.00

Telephone service 11,000.00 |

PBX Operator (D) 2,959.01 |

PBX Operator (D) 2,959.01 |

Salary—Voting Machine Service 630.00 |

Voting Machines—Maintenance and transpor-
tation 600.00 |

Travel additional for increase payment from seven to eight cents per mile	10,000.00
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Total, Section (E)	\$129,229.37
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Provided, the salary for voting machine employees shall be paid annually and that the county board shall collect for the servicing and the use of machines for municipal elections held in Spartanburg County and that the same shall be placed in the general fund of Spartanburg County.

(F) Superintendent of Education

Salary, Superintendent of Education	2,802.58
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The total amount of salary for the Superintendent of Education from any State or County source shall not exceed \$7,852.55, and the above appropriation shall be adjusted accordingly.

Travel, Superintendent of Education	800.00
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The travel allowance for the Superintendent of Education is for travel within the county. Expenses for travel outside the county shall be approved by the County Board of Education.

Assistant Superintendent of Finance and Purchasing	5,512.50
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Travel, Assistant Superintendent of Finance and Purchasing	500.00
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Chief Clerk (A)	4,575.38
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Clerk (B)	4,189.50
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Clerk-Stenographer (D)	3,076.91
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Clerk-Typist (part time) (D)	1,597.42
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Visiting Teacher—Chief	978.81
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Travel—Visiting Teacher—Chief	603.75
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Visiting Teacher	3,806.67
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Travel—Visiting Teacher	475.00
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Adult Education	6,000.00
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Total, Section (F)	\$ 34,918.52
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(G) Office of Special Auditor	
Salary, Special Auditor	7,852.55
Assistant Special Auditor (A)	4,575.38
Chief Clerk—Vital Statistics (B)	4,189.50
Senior Clerk (C)	3,373.41
Verification, Highway Fines	200.00
Vital Statistics	100.00

Total, Section (G)\$ 20,290.84

(H) Block Map Office	
Director	5,250.00
Draftsman	4,368.00
Clerk-Typist (D)	2,723.18
Equipment and Supplies	5,600.00
<i>Provided</i> , such purchases are made under the direction of the County Board of Spartanburg County.	

Total, Section (H)\$ 17,941.18

TOTAL, ITEM 1\$349,025.07

ITEM 2. JUDICIAL DEPARTMENT

(A) Court of Common Pleas and General Sessions, Seventh Judicial Circuit	
Jurors, witnesses and bailiffs	30,000.00
Stenographer for Circuit Solicitor	630.00
Assistant Solicitor	780.02
Court Bailiff—Circuit and County Courts ...	2,756.25
Transcripts and Inquests	1,500.00
Circuit Court Stenographer	279.99
Printing Bar Roster	800.00
Law Library Services	1,400.00
Subscriptions and publications	750.00

Provided, that each member of the bar with
more than five years practice pay the sum of
\$10.00 each to the support of the Spartanburg
County Law Library.

Total, Section (A)\$ 38,896.26

(B) County Court	
Jurors, witnesses and bailiffs	22,500.00
Salary, Judge	11,130.00
Salary, Solicitor	5,457.38
Stenographer for Solicitor	661.50
Court Stenographer	4,410.00
The County Court Stenographer is authorized to charge the same rate for transcripts as the Circuit Court Stenographer charges and such revenue shall accrue to the County Court Stenographer.	
Total, Section (B)	44,158.88
(C) Juvenile Domestic Relations Court	50,000.00
<i>Provided</i> , that the same salaries for all personnel of the present children's court remain the same and that the travel allowance remain the same, said appropriation not to exceed \$39,772.33 until changed by the majority vote of the delegation, including the Senator.	
(D) Civil Courts of Spartanburg	
Salary, Judge of Civil Court	6,791.40
Salary, Judge of Civil Court	6,791.40
Two Spartanburg City-Special	
Constables at \$1,194.37 each	2,388.74
Salary, Clerk-Stenographer (C)	3,631.64
Clerk-Stenographer (C)	3,631.64
Clerk-Stenographer (D)	2,723.18
Clerk-Stenographer (C)	3,244.13
Clerk-Stenographer (C)	3,373.41
Jurors for Civil Courts	600.00
<i>Provided</i> , each juror is paid \$3.00 per day.	
Total, Section (D)	33,175.54
(E) Judge of Probate's Office	
Salary, Judge of Probate	7,852.55
Assistant to Judge of Probate (A)	4,575.38
Chief Clerk (B)	4,189.50
Senior Clerk (C)	3,373.41
Recording Clerk (E)	2,731.38

Recording Clerk (F) 2,603.56
 When the Probate Judge directs a lunacy case
 or cases to be carried to the State Hospital
 or similar institution in the State, it shall be
 the duty of the Sheriff to convey such pris-
 oners in a county-owned car.

Total, Section (E) 25,325.78
 (F) Master's Office
 Salary, Master 7,852.55
 Assistant to Master (A) 4,575.38
 Clerk-Stenographer (C) 3,114.85
 Clerk-Stenographer (C) 3,114.85

Total, Section (F) 18,657.63

TOTAL, ITEM 2 \$210,214.09

ITEM 3. LAW ENFORCEMENT DEPARTMENT

(A) Sheriff's Office
 Salary, Sheriff \$ 10,500.00
 Travel and Official Expenses of Sheriff 2,200.00
 Salary, Deputy Sheriff 5,449.66
 Travel and Expenses, Deputy Sheriff 1,800.00
 Chief Clerk (B) 3,600.32
 Identification Work, etc. 1,500.00
 For special work, identification and sundry ex-
 penses payable on demand of sheriff.
 Rural Police:
 1 Chief 5,449.66
 Travel, Chief of Rural Police 1,800.00
 1 Lieutenant 5,079.22
 1 Lieutenant 5,079.22
 6 Rural Police at \$4,725.31 28,351.86
 18 Rural Police at \$4,249.03 76,482.54
 17 Travels at \$2,352.00 39,984.00
 Detectives:
 1 Captain 5,374.69
 Travel and expense for Captain 1,800.00
 3 Detectives at \$4,977.79 14,933.37
 1 Record Clerk 4,859.82

Bookkeeper and Cashier	4,725.32
Radio Operators:	
2 at \$4,725.31	9,450.62
Clothing allowances for Thirty-three Rural Policemen	7,755.00
<i>Provided</i> , not in excess of of \$235.00 shall be allocated to any one policeman in any one year.	
Clothing allowance for seven plainclothesmen <i>Provided</i> , not in excess of \$160.00 shall be al- located for any plain clothes officer during the year.	1,120.00
Those serving as detectives, deputy sheriff and other plain clothes officers shall not receive in excess of one hundred sixty dollars each for clothes allowance. Such uniforms and clothes shall be paid for by the County Board upon receipt of an order approved by the Sheriff. All such uniforms, clothes, equip- ment, and supplies furnished by the Sheriff's office to the Rural policemen, jailors and Dep- uty Sheriff shall be returned to the Sheriff's office immediately after such officer shall cease to be employed by the county, upon demand by the Sheriff.	
Repairs—Police Radios	1,200.00
Conveying Prisoners	3,600.00
<i>Provided</i> , there may be paid from the above appropriation meals, lodging, incidental ex- penses and travel to the extent necessary in the discharge of the duties of the Office of Sheriff.	
<i>Provided</i> , further, this appropriation shall be disbursed at the rate of seven cents a mile upon itemized sworn statements filed with the County Board and approved by the Sheriff. All appropriations for travel for the office of Sheriff, including all rural policemen and de- tectives, shall be paid on the basis of seven cents a mile for travel on official business upon duly itemized sworn statements filed	

with the County Board of Spartanburg County each month. Travel allowance for which payment is to be made for any one month shall not exceed more than 2,800 miles. *Provided*, no mileage payment is allowed if payment is made under any other appropriation contained herein. The County Board is authorized to pay any policeman who uses his own car that portion of the insurance premium which is charged to said officer by reason of the extra hazardous employment clause, such amount to be paid out of the general funds of Spartanburg County upon duly approved claims.

Provided, Spartanburg County is limited to paying only the liability and collision damage insurance.

Arsenal replacement	300.00
Prison Clothes	500.00
Dieting of prisoners not confined at the County Jail not to exceed fifty cents per meal subject to approval of payment by Sheriff	100.00
Engineer and Maintenance for City-County Police Radio	6,565.50

Provided, the county pays \$6,565.50 and the city pays \$6,565.50 for the City-County Police Radio.

Provided, further, the above appropriation shall be expended according to the budget submitted by the City of Spartanburg not to exceed a total amount of \$13,131.00 for county and city.

Provided, the operation of the City-County Radio and the Radio Engineer of the City-County Radio system shall be under and subject to the administrative control of the Sheriff of Spartanburg County insofar as County affairs are concerned. *Provided*, further, the County Board of Spartanburg County is hereby directed to pay no claim from this appropri-

ation until same is itemized and approved by the Sheriff.

Constables:

Constables at Mills, 4 at \$861.00 3,444.00

Provided, such Constables are deputized by the Sheriff of Spartanburg County.

Additional Law Enforcement Officers, 2 at \$861.00 1,722.00

Provided, that they shall be appointed by a majority of the delegation.

3 Constables at Jackson Mill, Startex, and Arcadia, \$1,031.62 each 3,094.86

Total, Section (A) \$257,821.66

The Sheriff's Office shall collect, by checks payable to the Spartanburg County Treasurer, a fee of one dollar for each inquiry concerning the record or reputation of a person in regard to violation of the laws of the United States and of this State relating to liquor.

(B) County Jail

Jailors:

One Lieutenant 5,079.22

Three Jailors at \$4,725.31 14,175.93

Dieting Prisoners and Expenses 15,000.00

The Sheriff shall file with the County Board on the first day of each calendar month duly itemized and sworn to a statement giving the name of each prisoner each day.

The County Board of Spartanburg County is hereby directed to formulate plans for the operation of the County Jail pertaining to the purchasing of all food and supplies and the payment of bills. Such expenditures shall be paid out of the above appropriation for dieting and expenses.

Provided, the Sheriff is authorized and directed to manage and control the County Jail.

Provided, further, the Sheriff shall have custody and control of all prisoners in the County Jail.

Medicine, County Jail	600.00
Total, Section (B)	34,855.15
(C) Coroner's Office	
Salary, Coroner	4,685.63
Travel	1,000.00
Coroner's Jury	1,500.00
Burial of Paupers	500.00
No pauper's coffin shall exceed twenty dollars.	
Post Mortems	1,500.00
No physician shall be paid in excess of fifteen dollars for an Autopsy or five dollars for a Post Mortem.	
Total, Section (C)	9,185.63
(D) Magistrates and Constables	
Thirteen Magistrates at \$1,260.00 each	16,380.00
Expenses, \$300.00 each	3,900.00
Thirteen Constables for the County Magistrates at \$630.00 each per year	8,190.00
Each Magistrate in Spartanburg County shall have authority to appoint one constable for each magisterial district, and each Judge of the Civil Courts of Spartanburg shall have authority to appoint one constable, all such constables to serve at such salaries as may be set in the annual appropriations act for Spartanburg County. In addition to the salaries appropriated in the annual appropriations act for Spartanburg County, the constable for each Magistrate in Spartanburg County and the constable or constables for the Civil Courts of Spartanburg shall receive such fees and costs and mileage as are set forth in Sections 43-1017 and 43-1018 of the 1962 Code.	
The County Board of Spartanburg County is authorized and directed to investigate the adequacy of the office space now used or to be used by the Magistrates of Spartanburg County. In such cases as they deem necessary to	

rent an office for a Magistrate in order that he may more efficiently discharge his duties, the County Board may pay not in excess of \$35.00 per month rent from the general funds of the County. This rent is to be paid to the owner of the property by County warrant and such payment is not to accrue to said Magistrate.

Total, Section (D)	\$ 28,470.00
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(E) Parole-Probation

Senior Clerk (B)	4,189.50
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Provided, this appropriation for parole-probation clerk shall be reduced to the extent of any revenue from the State or any other source applicable to this work.

Total, Section (E)	\$ 4,189.50
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TOTAL, ITEM 3	\$334,521.94
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ITEM 4. ROADS AND BRIDGES

Total appropriations for the item are as follows:

Salaries:

Supervisor	7,852.55
Clerk	4,253.45
1 Diesel Mechanic	4,935.00
2 Truck Mechanics at \$4,437.82	8,875.64
1 Electric Welder	5,280.45
Tire and Yard Man	4,156.95
1 Warehouseman	3,412.50
1 Bridge Foreman	5,280.45
1 Asst. Bridge Foreman	3,819.90
5 Camp Foremen at \$4,494.00	22,470.00
10 Truck Drivers at \$3,707.55	37,075.50
1 Crane Operator at \$4,494.00	4,494.00
13 Machine Operators at \$3,819.90	49,658.70
25 Guards at \$3,033.45	75,836.25
1 Supt. Surf. Department	5,280.45

5 Night Guards at \$2,921.10	14,605.50
5 Extra Week End Guards at \$701.06	3,505.30

\$260,792.59

Dieting Prisoners:

Average number of prisoners, 200	28,000.00
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Clothing Prisoners:

Stripes, shoes, socks, underwear, jackets, blankets, mattress covers, sheets, towels	10,000.00
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Doctors and Medicine	3,000.00
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Provided, the County Health Department is directed to do the dental work of the prisoners of the County Highway Department.

Supplies:

Includes tires, tubes, recapping, disinfectants, matches, smoking and chewing tobacco, soap, soap powder, cleaning compound, mops, brooms, signs, sledge hammers, nails, picks, shovels, axes, swing blades, beds and mat- tresses	42,000.00
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Repairs to machinery, equipment, trucks and cars:

Includes 50 pieces of heavy equipment and machinery, 65 trucks and 3 cars	47,000.00
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Gasoline, Motor Oil, Fuel Oil, Diesel Oil and Grease	48,000.00
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Office Supplies	825.00
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South Carolina Sales Tax:

Additional sales tax not charged on invoices by out-of-state companies	750.00
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Miscellaneous Expense:

Liability Insurance, License tags, power, water, telephone, expense conveying prisoners, Workmen's Compensation Insurance and freight	16,000.00
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Clothing allowance for employees	5,325.00
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Provided, no employee shall receive in excess of \$75.00 per annum.

Surface Treatment and/or recapping of roads:

Stone and Asphalt and labor	150,000.00
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Pipe and Bridge material	30,000.00
Machinery and Equipment	28,500.00
<i>Provided</i> , the above appropriation for machinery and equipment is to be expended for five mowing machines, six pick-up trucks, and five dump trucks.	
Signs and Paint	1,000.00
	<hr/>
	410,400.00

The remainder of the county's share of the gasoline tax received from the State, after using so much thereof as shall be necessary to pay interest and principal instalments coming due from the fiscal year 1964-65 on bonds issued or to be issued providing for road surface treatments for the county, shall go into the general funds of Spartanburg County. The road tax shall also go into the general funds of the county. The above appropriation is inclusive of the gas tax and the road tax. The County Board shall have the right and authority and it shall be its duty to allocate, segregate and set apart and use or cause to be used so much of the sum appropriated above as they deem wise for the purpose of grading and preparing highways and expenses incident thereto for surface treatment. The County Board may, by written agreement, use a reasonable amount of any appropriation for Highway Department to match or secure any Federal aid available for highway work but such authority is not construed to affect, in any way, the operations and carrying out of the details provided for under the respective appropriations made for the department; but such authority is given in order that funds or grants may be received as a supplement to the items appropriated for. Any balances unexpended in the accounts of the County Highway Department on June 30, 1964, may be

used to purchase stone, asphalt, culverts, and bridge material. *Provided*, that with the approval of the Spartanburg County Board of Control ten per cent of the foregoing appropriations for the Highway Department for supplies and materials may be transferred to any of the other items for supplies, materials, doctors and medicine.

TOTAL, ITEM 4\$671,192.59

ITEM 5. PUBLIC HEALTH AND WELFARE

(A) Charity Hospitalization

1. Spartanburg General Hospital Charity Patients\$495,000.00

Provided, this appropriation is hereby reduced to the extent of any funds received from the State Income Tax and allocated to Spartanburg County for hospital and charity service. All stenographic and clerical employees of the General Hospital shall be paid at a rate not in excess of equally rated employees in other departments of the county government where salaries are set by the terms of this act.

The above appropriations shall include the operating expenses of the Woodruff Hospital as the trustees of the General Hospital shall deem necessary for the proper operation of the Woodruff Hospital. The Woodruff Hospital is hereby authorized and directed to take care of charity patients at the discretion of the trustees of the Spartanburg General Hospital. *Provided*, \$100,000.00 of the appropriation for charity patients at the Spartanburg General Hospital be used by the Board for the purpose of enhancement of patient care by way of salary increases, hiring of additional personnel and whatever is necessary to enhance patient care.

Provided, of the \$495,000.00 herein appropriated, \$20,000.00 shall be made available to

the Woodruff Hospital for capital expenditures for equipment and supplies.

Provided, that the above appropriation for charity patients at the Spartanburg General Hospital and the Woodruff Hospital shall not be disbursed in excess of \$22.12 per charity patient per day. Spartanburg County is to pay this amount subject to the approval of the Charity Investigator.

Spartanburg General Hospital Charity Investigation:

Investigator	6,791.40
Travel for Investigator	1,800.00
Clerk (B)	3,894.91
Clerk (D)	2,723.18

\$ 15,209.49

General Hospital Bonds for year ending June 30, 1965:

Principal	120,633.67
Interest	43,608.27
Bank Commission	223.51

\$164,465.45

2. Spartanburg T. B. Hospital 121,108.06

All stenographic and clerical employees shall be paid at a rate not in excess of equally rated employees in other departments of the county government where salaries are set by the terms of this act. Notwithstanding any other provision of this act, the above appropriation may be apportioned monthly as the County Board may direct. Any fees paid by patients in the Spartanburg Tuberculosis Hospital, for medical services of the Director, shall go into the general funds of Spartanburg County effective upon the passage of this act.

3. Spartanburg County Tuberculosis Association.

There is hereby appropriated a sum not to exceed five thousand dollars for an X-ray motor service operation 5,000.00

Total, Sections (A) 1, (A) 2, (A) 3 \$800,783.00

(B) County Health Department

Salaries and Salary Adjustments for Federal funds 85,857.00

Travel, incidentals, Milk and Meat Inspection 42,330.00

Dental Health work 13,463.50

Retirement and Social Security for the fiscal year ending June 30, 1965 8,713.00

Rabies Control Program 5,425.55

Insect and Rodent Control 7,786.50

Auxiliary Health Centers 6,000.00

T. B. Drugs 1,000.00

All duties pertaining to the inspection of meat and milk as set forth in the regulations of the State Board of Health shall be performed by the County Health Department for Spartanburg County including Spartanburg City.

Provided, the County Board of Health may accept funds from other private or government agencies to employ staff for the purpose of providing additional public health services requested by those agencies.

Total, Section (B) \$170,575.55

(C) Department of Public Welfare:

Travel (12) for Child Welfare Workers at \$40.00 each per month 5,760.00

Children's Home for Boarding Home Care, medical, dental, and other basic needs 15,000.00

Special Emergency Fund 13,000.00

Supplement County Director at \$75.00 per month 900.00

Supplement (8) Supervisors at \$52.50 each per month 5,040.00

Supplement for Staff members other than Supervisors (55 at \$21.00 each per month) .. 13,860.00

Social Security and Retirement	1,162.25
Office and Incidental Expenses	500.00

Total, Section (C) \$ 55,222.25

(D) County Home

Maintenance and Improvements and care of aged, indigent and chronically ill	50,000.00
The County Board is hereby authorized to enter into an agreement with any private eleemosynary corporation providing for the leasing of the facilities of the County Home at a nominal rental and to use the remainder of the above appropriation for the care of the aged, indigent and chronically ill of Spartanburg County in connection with such lease agreement.	

Total, Section (D) 50,000.00

(E) Mental Health Clinic

Operating Expenses, year ending June 30, 1965	18,990.63
<i>Provided</i> , \$3,820.22 is appropriated for psychiatric treatment at the General Hospital.	

Total, Section (E) 18,990.63

(F) County Service Officer

County Service Officer	6,063.75
Travel—Service Officer	1,000.00
Secretary (B)	4,189.50
Office Expenses	300.00

The County Service Officer or his assistant must be a veteran of World War II, and the employees shall observe the same working hours as those that prevail at the County Courthouse. Any unused funds in the appropriation for the fiscal year ending June 30, 1965, shall be credited to Public Buildings Account for equipment and service rendered. If the funds provided by the State are not adequate to pay the above appropriations, the

excess shall be paid out of the general county funds. The County Service Officer shall be paid seven cents a mile for the number of miles traveled on official business upon an itemized sworn statement submitted to the County Board.

Woodruff Service Officer	500.00
Chesnee Service Officer	500.00
Inman Service Officer	500.00

Total, Section (F)	13,053.25
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(G) Speech and Hearing Clinic	6,850.00
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Provided, this appropriation is made upon the specific condition that all revenue and contributions to the Clinic for the fiscal year ending June 30, 1965, shall be no less than the total receipts for the fiscal year ending June 30, 1964, exclusive of this appropriation.

Total, Section (G)	6,850.00
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TOTAL, ITEM 5	\$1,115,474.68
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ITEM 6. AGRICULTURE, FORESTRY AND RELATED AGENCIES

(A) County Farm Agent's Office

County Farm Agent	\$ 1,260.00
Assistant County Farm Agents, 3 at \$600.00 each	1,800.00
Stenographer	720.00
Stenographer No. 2	120.00
County Extension Office, Supplies	300.00
4-H Club Calf Chain	1,000.00
F. F. A. Calf Chain	1,000.00
Boys' and Girls' 4-H Club	300.00
Colored:	
County Farm Agent	900.00
Home Demonstration Agent—Salary	850.00
Home Demonstration Agent No. 2—Salary	150.00
Home Demonstration Agent—Supplies and Materials	200.00

Agricultural Agent—Supplies and Materials	200.00
Clerical Help	2,100.00
4-H Club Expenses	400.00
4-H Club Calf Chain	250.00
F. F. A. Calf Chain	250.00

Total, Section (A)	11,800.00
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(B) Forestry

Wardens, 3 at \$50.00 a month each	1,800.00
Towerman, 1 at \$25.00 a month	300.00
Tractor Driver, 1 at \$25.00 a month for 8 months	200.00
Ranger, 1 at \$50.00 a month	600.00
Forestry and Park needs	500.00

Total, Section (B)	3,400.00
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TOTAL, ITEM 6	\$ 15,200.00
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ITEM 7: PUBLIC BUILDINGS

(A) Department of Maintenance:

Superintendent, Maintenance	\$ 4,648.14
Foreman	3,402.25
Foreman	3,402.25
Foreman	3,131.10
Carpenter	3,617.90
Janitor Service	17,330.00
Supplies	4,047.53
Repairs and Miscellaneous Services	4,000.00
Utilities(heat, lights, etc.)	20,300.00
Grounds—upkeep	1,000.00

Total, Section (A)	64,879.17
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(B) Insurance	7,250.00
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Total, Section (B)	7,250.00
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TOTAL, ITEM 7	\$ 72,129.17
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ITEM 7A. SPARTANBURG MEMORIAL AUDITORIUM

Spartanburg Memorial Auditorium Commission, Maintenance and Upkeep	\$ 5,000.00
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Payment on note of Auditorium for air conditioning \$ 10,000.00

Provided, these sums are appropriated contingent upon the appropriations by the City of Spartanburg of equal amounts for maintenance and upkeep, and air conditioning notes.

TOTAL, ITEM 7A \$ 15,000.00

ITEM 7B. SPARTANBURG COUNTY LIBRARY

Spartanburg County Library \$ 91,000.00

This appropriation is for maintenance and operation of the Spartanburg County Library and the purchase of books.

Provided, the above appropriation is made upon the condition that the County Library Board shall adopt a schedule of salaries based upon efficiency and length of service. Further, this appropriation is in addition to the one mill tax levy as now provided for the Library. *Provided*, that in the event that Spartanburg County Library becomes part of a Regional Library such additional qualifying funds may be paid out of the General Funds of the County upon approval of a majority of the delegation, including the Senator.

TOTAL, ITEM 7B \$ 91,000.00

ITEM 8. MISCELLANEOUS APPROPRIATIONS

City of Greer \$ 200.00

This appropriation is to be used for Greer Public Library for the benefit of citizens of Spartanburg County.

Y. M. C. A. for Summer Camp 1,500.00

Volunteer Fire Departments 15,000.00

4 Portable Hi Ex Foam Units \$1,365 each 5,460.00

1 Hi Ex Truck Foam Unit 13,500.00

Tax on Hi Ex Foam Unit 568.80

19,528.80

The sum of \$500.00 is hereby appropriated to each Volunteer Fire Department in Spartanburg County which is a member of the South Carolina Firemen's Association which is recognized and classified by the Southeastern Underwriters Association.

Operation and maintenance of fire alarm system	3,600.00
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The above appropriation to be expended upon the direction of the Volunteer Fire Chiefs Association.

National Guard Units:

Spartanburg City	750.00
Spartanburg City	750.00
Spartanburg, Medical	750.00
Lyman (1)	750.00
Lyman (2)	750.00
Woodruff	750.00
Inman	750.00
Inman	750.00
Pacolet	750.00
Greer	375.00

The appropriation for Greer is contingent upon Greenville County paying an equal amount.

Delegation Transferable Fund	5,000.00
Registration Board	2,940.00
Travel, Registration Board	600.00
Spartanburg Armory	2,000.00

This appropriation is made for the purchase of equipment for the Armory. *Provided*, the County Board of Spartanburg County shall disburse only on the condition that the said Armory matches this appropriation with an equal amount. This appropriation is to be available upon the passage of this act.

Civil Air Patrol, for maintenance and operation of planes and motor equipment	800.00
Spartanburg Planning and Development Board	3,000.00
Civil Defense	9,000.00

Provided, this appropriation shall be expended upon the approval of a majority of the delegation, including the Senator; and, *provided*, further, the County Chairman of the Civil Defense organization selected pursuant to Section 5 of Act No. 888 of the Acts of 1958 shall set forth in the defense plan a detailed budget with respect to all funds that become available to the county for Civil Defense purposes. The financial proposals contained in the defense plan so submitted shall not be effective unless approved by the Legislative Delegation, including the Senator, and the mayors of the municipalities within the county. The funds above provided for shall be paid in such manner as provided for in the defense plan, and if the Legislative Delegation, by majority recommendation has reason to believe that there has been a failure to expend funds in accordance with the terms and conditions contained in such plan, the County Board shall be notified of the delegation's recommendation, whereupon such payments shall cease until the failure to properly expend funds has been corrected. *Provided*, no salaries shall be increased more than 5% total from funds received.

Voting Machines (10)	18,000.00
Registration Board—Special Work	3,000.00
To be expended according to schedule submitted. Available to the extent necessary upon the passage of this act.	

The County Board of Spartanburg County is hereby authorized to use the funds derived from the sale of three (3) used cars of the Office of Sheriff to apply on the purchase of a pick-up truck to be used in connection with the maintenance and upkeep of the County Courthouse and grounds and other County functions. Whatever the proceeds of said sale lacks of being \$1,800.00, the difference is

hereby appropriated to make this latter sum available to the said County Board.

TOTAL, ITEM 8 \$ 91,293.80

ITEM 9. BONDS AND INTEREST

Ordinary County Bonds	\$349,000.00
Interest	131,021.00
Commission	666.13

TOTAL, ITEM 9 \$480,687.13

Any surplus on hand at the close of the fiscal year or period shall be applied to the payment of the principal or interest on bonds maturing in the current year or any subsequent year, thereby reducing the levy proportionately; but the County Board of Spartanburg County may use such surplus funds to meet the payment of items appropriated for until taxes are available for payment of such items and for replacing of surplus funds allocated for payment of bonds and interest. The above appropriation shall include July 1, 1965 principal and interest payments.

Item 15.

Technical Training School Bonds:

Principal	\$ 32,000.00
Interest	18,066.00
Bank Commission	92.30

\$ 50,158.30

Provided, the above bonds and interest for the Technical Training School shall be paid from the proceeds of the special tax levy for such bonds.

TOTAL, ITEMS 1-9 \$3,495,896.77

SECTION 2. The County Board of Spartanburg County is hereby directed to pay out of the general funds of the county travel expense at the rate of eight cents per mile for miles traveled in the performance

of duties of all county boards and commissions which do not receive any compensation for services.

SECTION 3. The County Board of Spartanburg County shall have full authority to make such regulations and contracts for the purchase of calves from the appropriation of calf chains as it deems necessary and proper for promoting the development of better dairy cattle in Spartanburg County.

SECTION 4. The board of assessors and equalization for outside the City shall be paid \$12.50 each per day and eight cents per mile one round trip.

SECTION 5. The appropriations in the annual appropriations act shall cover salaries of officials and shall be in lieu of all fees, costs and other compensations and all fees and costs collected by each of them shall be turned over by them each month to the county treasurer for the benefit of the county as provided by law. All interest earned from funds invested in securities by the county treasurer and all interest on delinquent taxes shall be credited to the general funds of the county by the county treasurer.

SECTION 6. It is hereby directed that all boards of Spartanburg County shall at all times hold open sessions to the public. However, the right is reserved to all boards to have executive sessions similar to the rights reserved to the General Assembly in the State Constitution.

SECTION 7. The balances shown to the credit of the following departments for the fiscal year ending June 30, 1964, are hereby authorized to be carried forward and added to the appropriation or appropriations for the fiscal year 1964-1965, for necessary maintenance and operations: County Home and County Home Nursing, County Farm, Public Buildings, for paint and materials, T. B. Hospital, General Hospital, County Highway Department Maintenance and Road Improvement, County Health Department, Spartanburg County Library. The appropriation balance for the Block Map System on June 30, 1964, shall be carried forward for the fiscal year ending June 30, 1965, and shall be expended upon the authorizations of a majority of the Legislative Delegation, including the Senator, in the majority. The balance on hand on June 30, 1964 of the Planning and Development Commission shall be carried forward to the fiscal year 1964-1965.

The County Board shall make such rules and regulations as they deem proper for the operation and maintenance of the voting machines of Spartanburg County and shall regulate the payment of the appropriations made therefor in such manner as they consider adequate and any unexpended balances or accruals may be carried forward at the end of the fiscal year.

SECTION 8. The County Board of Spartanburg County is hereby authorized to have an audit made of the affairs and doings of the offices, departments and officials of Spartanburg County by a certified public accountant for the fiscal year ending June 30, 1965. The board is authorized to invite bids from qualified certified public accountants for the work to be performed and to accept or reject any and all bids; *provided*, however, final acceptance of a bid shall be subject to the approval of a majority of the county delegation given at a duly and regularly called meeting thereof.

The person or firm making the audit shall, in addition to the audit itself, be required to make a report of its findings, conclusions and recommendations to the county board with respect to improvement of accounting practices in various offices and departments of the county. The County Board of Spartanburg County is authorized to investigate and make recommendations to the county delegation concerning any deficiencies in any department of Spartanburg County.

SECTION 9. For the court of general sessions and county criminal court there shall be not more than three bailiffs, who shall receive not in excess of ten dollars each per day. For the court of common pleas and county civil court there shall be not more than two bailiffs, who shall receive not in excess of ten dollars per day. Jurors for the circuit court and the county court shall receive a per diem of ten dollars each per day in addition to the mileage as now provided by law. There shall be appointed by the sheriff a court crier who shall act also as a bailiff at all terms of court. Jurors of the coroner's jury and magistrates of the county shall receive three dollars each per day.

SECTION 10. All expenditures for the operation of the Spartanburg County Technical Training Center shall be on approval of a majority of the legislative delegation, including the Senator.

SECTION 11. Any contracts or agreements for the expenditure of funds in this appropriation act for the operation of the joint city-county radio station shall not obligate Spartanburg County unless previously approved by the Spartanburg County Delegation.

SECTION 12. Expenditures from the Delegation Transferable Fund and authorizations by the delegation shall be made upon approval of a majority of the delegation, including the Senator, at a duly and regularly called meeting and upon written certification thereof by the secretary to the county board of control.

SECTION 13. The County Board of Spartanburg County shall make provision for Workmen's Compensation coverage of all employees of Spartanburg County to which it may be applicable. The following departments of Spartanburg County shall keep separate records for Workmen's Compensation Insurance and pay the premiums therefor from their own budgets:

Spartanburg General Hospital, including Woodruff Hospital.
County Highway Department
Spartanburg Tuberculosis Hospital
County Health Department
The County Board of Spartanburg County
Spartanburg County Library

SECTION 14. The County Board of Spartanburg County shall disburse all appropriations provided herein for travel for all county employees on sworn itemized statements of the employee that the travel was performed in carrying out the duties of his or her job and on actual business of the county, at the rate of eight cents per mile. The board is authorized to prescribe such further rules and forms as will carry out the purposes of this section. *Provided*, the amount paid out by the county board shall not exceed the amount provided by the terms of this act.

SECTION 15. The Bureau of Vital Statistics is hereby authorized to make a search of records and furnish a statement of age or other data without charge. This does not apply to the usual fee for the certification of any record.

The Special Auditor is required to audit only the records of the General Hospital kept by the county.

For persons born in Spartanburg County since January 1, 1915, certificates of birth are to be issued on a similar basis as the State Board of Health issues certificates. For persons born prior to January 1, 1915, only persons born in Spartanburg County may register their birth with the Vital Statistics Department, and in addition to the items listed in the Code of 1962, documentary proof of age and place of birth must be submitted and such evidence must be over

five years old. The above provisions are in addition to the regulations now effective.

SECTION 16. The County Board of Spartanburg County is authorized and directed to administer and regulate salaries and wages of employees and clerical help provided for in this act in accordance with the salary schedule classification and policies as set forth in the survey adopted for Spartanburg County. Salary adjustments in accordance with salary schedule are to become effective from the date of employment and any increase shall be paid out of the general funds of the county.

SECTION 16A. As soon as practicable after the end of the fiscal year 1964-1965, the County Board shall determine the amount by which the county's total revenues or receipts from all sources exceeded the sum of (a) actual expenditures for normal maintenance and operation of the county government for the fiscal year 1964-1965, (b) unexpended balance of any continuing appropriations outstanding at the end of the fiscal year 1964-1965, and (c) whatever amount is found necessary to bring the reserve fund to \$300,000.00.

These excess revenues so determined are hereby appropriated to be applied to the retirement of the county's bonded indebtedness. The County Board of Spartanburg County shall retire such bonds from this appropriation to the extent such excess revenues permit, and shall select such bond issue or issues for retirement as they deem to the best advantage of the county.

SECTION 16-B. The County Board of Spartanburg County is hereby authorized to pay any interest on County and School Expense Notes out of the general funds of Spartanburg County. Also, any expense of issuing bonds.

The County Board of Spartanburg County is hereby authorized and directed to formulate plans and make such recommendations to the Legislative Delegation as they deem proper and adequate to set up a proper system to operate a tax re-assessment program for Spartanburg County. Such regulations to include in scope the most efficient manner to effect the re-assessment of the property of Spartanburg County and the maintenance of such system. The necessary expenditures for same are to be paid out of the general funds of Spartanburg County as approved by the Legislative Delegation.

SECTION 17. In all instances wherein a federal agency occupies space in any public building owned by Spartanburg County, and all

of its administrative or operating costs may be paid by the federal government or any department thereof, the County Board of Spartanburg County shall charge and collect the sum of \$0.835 per annum for each square foot of space occupied by such agency, the same to be applied to the maintenance and utility costs of such public building. Further, in all instances wherein a State, area, district or county association, committee, board or organization may receive, either directly or indirectly, all of its administrative or operating costs from the federal government or any department thereof, the County Board of Spartanburg County shall charge and collect the sum of \$0.835 per annum for each square foot of space the agency, association, committee, board or organization occupies in the public building. The above stated amount shall be charged and collected if the entire administrative or operating costs of the agency, association, committee, board or organization may be ultimately borne by the federal government or any department thereof, and without regard to who actually administers the federal funds at any stage. The above charges and collections shall be collected either monthly or quarterly. *Provided*, the County Board is authorized to provide rules and regulations governing the occupancy of the new courthouse and the use of the county courthouse parking lots.

SECTION 18. Each and every official and employee of Spartanburg County is prohibited from receiving any compensation or reimbursement whatsoever from any individual, person, firm or corporation in addition to the amounts appropriated or provided for in this act.

The County Board of Spartanburg County, subject to the same limitations as are imposed upon the purposes for which taxes may be levied or bonds issued by Article X, Section 6 of the Constitution, is authorized and directed to make any contracts deemed necessary and advisable for the furnishing of services, information, use of equipment, labor of officials and employees and materials to such persons or agencies as may be determined from time to time by the County Board. The charges for such shall not be less than the actual costs to the county for services, time involved, materials and use of equipment as may be determined by the County Board. *Provided*, however, the County Board shall not contract to furnish any service that was not being furnished on the effective date of this act without prior approval of the majority of the county legislative delegation. Each and every county official and employee is hereby authorized and directed to comply with and perform any such contracts and agreements as may be entered into by the County Board from time to time.

This provision shall apply when any county records or information and the time of any official or employee is used or furnished.

All revenue from all work, materials, and use of equipment authorized by the County Board shall be remitted to the County Treasurer and credited by the County Treasurer to the General Fund of Spartanburg County.

SECTION 19. The County Board shall not employ any expert or contract to pay for any study or survey without approval by a majority of the county legislative delegation.

SECTION 20. The County Board of Control is hereby authorized and directed to execute and deliver a deed or deeds under such terms and conditions as the legislative delegation may approve in writing, to all of that real estate now occupied and used by the Spartanburg County Freezer Locker Plant and/or the Spartanburg Curb Market, which properties are located on the Asheville Highway and Kennedy Street, respectively. The funds so received shall be placed in the General Fund with the County Farm Land money. The funds now on hand in this act shall also be credited to the general funds of the county.

SECTION 20A. For the purpose of considering Hospital Insurance for all employees of Spartanburg County, the County Board is hereby authorized and directed to investigate and recommend to the Legislative Delegation the Hospital Insurance they consider adequate for the County to carry. The said Board shall recommend as to the scope, financing, and other pertinent data. The cost of the County shall be paid from the general funds of the County as may be authorized by a majority of the Legislative Delegation.

SECTION 21. There shall be filed in the office of the County Board of Spartanburg County eighteen copies of the minutes of each agency and department of Spartanburg County. Copies shall be made available for each member of the legislative delegation at the County Board office, Spartanburg, South Carolina.

SECTION 22. The term of office of the Special Auditor is hereby continued until his successor is appointed and qualified.

SECTION 22A. With the prior approval of the Spartanburg County Board of Control, the county treasurer may waive collection of penalties and interest in the following circumstances:

(a) When payment of taxes has been timely tendered but erroneously declined by the treasurer.

(b) When the taxed property has been properly returned but was erroneously omitted from the auditor's tax digest.

(c) When there has been an increase in the assessed value of the taxed property by the South Carolina Tax Commission after the taxpayer has timely paid his taxes on the original assessment.

Further, the treasurer may accept partial payment of taxes on personal property from former residents of the county who have removed the property from the State.

SECTION 23.

REVENUE ESTIMATE

1964-1965

State Aid

Gasoline Tax	\$521,000.00
Less Road Bonds	252,255.74
	<hr/>
	\$268,744.26
Bank Tax	26,000.00
Insurance License Fees	140,000.00
Beer and Wine Tax	50,000.00
Alcoholic Liquor Tax	163,000.00
Income Tax	200,000.00
	<hr/>
Net State Aid	\$ 847,744.26

Other Sources

Miscellaneous	\$ 40,000.00
Interest on invested money	59,500.00
Fines and Licenses	180,000.00
Fees and Costs	110,000.00
Delinquent Tax	100,000.00
Cost and Int. Delinquent Tax	50,000.00
	<hr/>
Total other sources	\$ 539,500.00
	<hr/>
	\$1,387,244.26

<i>Ad Valorem Tax</i>	
31 mills (\$70,000,000.00)	\$2,061,500.00
Less Abatements	125,000.00
	<hr/>
	\$1,936,500.00

TOTAL ESTIMATED REVENUES \$3,323,744.26

SECTION 24. This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R1372, H2744)

No. 1359

An Act To Provide For A Referendum In Spartanburg County To Determine Whether The Stone Station Area Shall Be Annexed To The Woodruff-Roebuck Water District; To Provide For The Issuance Of Sixty Thousand Dollars Of General Obligation Bonds Of The District If The Vote Be Favorable; To Prescribe The Purpose For The Bond Issue; And To Provide For Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Stone Station Area to become part of Woodruff-Roebuck Water District if election favorable.—The Woodruff-Roebuck Water District Commission may declare annexed to and incorporated into the Woodruff-Roebuck Water District, if the election required by Section 2 of this act shall be held and shall result favorably, the Stone Station Area described in a plat recorded in the office of R. M. C. for Spartanburg County in Plat Book 47 at pages 582-584. Such action shall be taken by resolution of the Woodruff-Roebuck Water District Commission.

SECTION 2. Election and question.—The Commissioners of Election of Spartanburg County shall conduct a special election on a date to be set by the Commissioners of the Woodruff-Roebuck Water District, in the Woodruff-Roebuck Water District and in the Stone Station Area, as described in a plat recorded in the office of R. M. C. for Spartanburg County in Plat Book 47 at pages 582-584, for the purpose of submitting to the qualified electors of the Woodruff-Roebuck

Water District and the Stone Station Area the following question:
“Shall the territory in Spartanburg County, known as the Stone Station Area, as described on a plat recorded in the office of R. M. C., Spartanburg County, in Plat Book 47, pages 582-584, be annexed to and become a part of the Woodruff-Roebuck Water District in Spartanburg County and shall the Woodruff-Roebuck Water District Commission be authorized to issue sixty thousand dollars of general obligation bonds for improvements in the annexed area?

YES

NO”

SECTION 3. Conduct of election.—The Commissioners of Election of Spartanburg County shall:

(1) Conduct a special election prescribed in Section 2.

(2) Give notice of the holding of the election by publication of notice thereof not less than once a week for three successive weeks prior to the date of the election in one or more newspapers of general circulation in Spartanburg County. Each notice shall state the question to be submitted.

(3) Prescribe the form of ballot to be used in such election and to cause an appropriate number of ballots to be printed. Each ballot shall contain suitable instructions advising each voter that if he favors the affirmative of the question voted upon he shall strike through the word “NO” and that if he favors the negative of the question he shall strike through the word “YES”.

(4) Appoint necessary managers at each precinct in whole or in part in the Woodruff-Roebuck Water District and in the Stone Station Area.

(5) Receive the returns of the managers and declare the results of the election and certify the results to the Clerk of Court of Spartanburg County, the Code Commissioner and the Secretary of State within ten days of the date of the election. Except as herein provided, the election shall be conducted in accordance with the South Carolina Election Law.

SECTION 4. Bond issue authorized if area annexed.—Should a majority of those voting in the district and in the area vote in favor of the annexation and should the Woodruff-Roebuck Water District Commission (hereafter called the “commission”) declare the area to be annexed by appropriate resolution, the commission may issue sixty

thousand dollars of general obligation bonds of the district for the purpose of extending water lines within the annexed area.

SECTION 5. Maturity.—All bonds shall mature in such annual series or installments as the commission shall provide, except that the first maturing bonds shall mature within three years from the date of issue; and no bond shall mature later than twenty years from the date of issue.

SECTION 6. Redemption.—Any bond may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the commission, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 7. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Spartanburg County, upon such conditions as the commission may prescribe. When so registered, all bonds shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 8. Where payable.—The bonds shall be made payable at such places, within or without the State, as the commission shall provide.

SECTION 9. Interest.—The bonds shall bear interest at rates determined by the commission.

SECTION 10. Denominations.—The bonds and the coupons to be thereunto attached shall be in such denominations and shall be executed in such manner as the commission shall prescribe by resolution.

SECTION 11. Sale.—The bonds shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 12. Payment.—For the payment of the principal and interest of all bonds issued, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Spartanburg County, and collected by the Treasurer of Spartanburg County, in the same manner as county taxes are levied and collected, on all taxable property in the district, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 13. Exempt from taxes.—The principal and interest of the bonds shall have the tax-exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 14. Proceeds.—The proceeds derived from the sale of any bonds shall be paid to the Treasurer of Spartanburg County, to be deposited in a bond account fund for the district, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the commission, for the following purposes:

(1) To defray the costs of issuing the bonds authorized by this act;

(2) To provide for additional water facilities within the district.

(d) If, after the completion of the commission's program, the commission shall certify to the Treasurer of Spartanburg County that any remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 15. Powers additional.—The powers and authorizations hereby conferred upon the commission shall be in addition to all other powers and authorizations previously vested in the commission and may be availed of pursuant to action taken at any regular or special meeting of the commission.

SECTION 16. No further action required.—No action other than that prescribed in this act need be taken to effect the issuance of the

bonds herein authorized, nor shall the commission be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act, other than to have the Spartanburg County Attorney advise and prepare the issuance of the bonds.

SECTION 17. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R782, H2179)

No. 1360

An Act To Authorize The Trustees Of Sumter County School District No. 17 And The County Treasurer Of Sumter County To Borrow Not Exceeding Seventy-Five Thousand Dollars To Be Used For School Purposes, And To Provide For The Payment Of Such Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. School District 17 of Sumter County may borrow money.—The Board of Trustees of School District No. 17 of Sumter County and the County Treasurer of Sumter County are hereby authorized to borrow not exceeding seventy-five thousand dollars from the Division of Sinking Funds and Property, or any other lending agency at the lowest interest rate available, for the purpose of constructing additional facilities, making additions to existing buildings, or for equipping such facilities for school purposes. The amount borrowed shall be evidenced by a note or notes to be executed by each member of the Board of Trustees of School District No. 17 of Sumter County and by the Treasurer of Sumter County. The note or notes shall bear interest at not exceeding four per cent per annum from the date thereof, interest to be paid annually and principal shall be payable on September 1, 1967 with the right to anticipate payment thereof at any annual interest paying period.

SECTION 2. Payment.—For the payment of the note or notes, the Board of Trustees of School District No. 17 and the County Treasurer of Sumter County shall pledge the annual grant from the State Educational Finance Commission for the repayment of the loan and the interest thereon.

SECTION 3. Payment further.—As additional security for the loan, in the event the annual grant to the school district by the State Educational Finance Commission shall be insufficient to pay the principal and interest on the loan, the Auditor of Sumter County shall levy and the Treasurer of Sumter County shall collect an annual tax upon all of the taxable property of School District No. 17 of Sumter County sufficient to retire the loan and the interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of interest, in full, at which time the levy provided herein shall be terminated. In the event the school district may receive or have on hand any funds not otherwise pledged nor designated for a particular use, such funds may be used for payment of the loan and interest thereon.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R922, H2357)

No. 1361

An Act To Authorize Sumter County To Sell And Convey Certain Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sumter County may sell certain property.—The County Board of Commissioners of Sumter County is hereby authorized to sell and convey to Sterling Holding Company for three thousand six hundred dollars, the following described property:

“All that piece, parcel or lot of land in the City and County of Sumter, State of South Carolina, being the Southernmost portion of Lot ‘C’ as shown on plat of John M. Mahon, R.L.S. dated 27 June, 1958 and recorded 10 July, 1958 in the Office of the Clerk of Court for Sumter County in Plat Book Z-15 at page 92, said property fronting 30 feet on Magnolia Street and extending back therefrom in a westernly direction in uniform width a distance of approximately 150 feet, and being bounded as follows: On the North by the remaining 10-foot strip of Lot ‘C’; on the East by Magnolia Street; on the South by other property of Sterling Holding Company; and on the West by other property of the Sterling Holding Company.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R1211, H2573)

No. 1362

An Act To Provide For A Levy Of Taxes For School And County Purposes For Sumter County For The Fiscal Year Commencing July 1, 1964; To Direct The Expenditure Thereof; To Fix The Salaries Of Certain Officers; And For Other County Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The Auditor of Sumter County is hereby authorized to levy on all taxable property in the County of Sumter so much as may be necessary, but not in excess of fifteen mills, for general county purposes.

Item 1. Roads and Bridges :

A-70	General Fund—Roads and Bridges	\$100,000.00
A-72	Salary—County Engineer	10,000.00
A-73	Salary—Road Superintendent	7,500.00
A-75	Salary—Yard Superintendent	3,780.00
A-80	Salaries—Gang Guards and Employees	58,000.00
A-85	Purchase Machinery and Equipment	20,000.00
A-90	Gang Buildings—Repairs and Upkeep	1,000.00

Total, Item 1—Roads and Bridges\$200,280.00

Item 2. Public Buildings:

A-101	Repairs and Maintenance of Buildings	\$ 3,500.00
A-102	Purchase Furniture, Fixtures, etc.	2,500.00
A-103	Repairs and Maintenance—Furniture and Fix- tures	5,000.00
A-104	Insurance—Storm, Fire, Explosion	5,000.00
A-105	Heat, Water, Lights, Sanitary Supplies	10,000.00
A-106	Salary—Maintenance Supervisor	4,380.00
A-109	Special Janitor Services	100.00
A-110	Care of Public Grounds	1,000.00

Total, Item 2—Public Buildings\$ 31,480.00

Item 3. Court Costs:

A-120	Jury Pay and Court Expense	\$ 8,000.00
A-121	Court Stenographer Supplies	240.00

Total, Court Costs\$ 8,240.00

Clerk of Court:

A-125	Salary—Clerk of Court	8,400.00
A-126	Salary—Deputy Clerk of Court	5,150.58
A-127	Salary—2nd Deputy Clerk of Court	3,500.00
A-128	Clerk II—Clerk of Court	2,803.50
A-129	Clerk II—Clerk of Court	2,803.50

Total, Clerk of Court\$ 22,657.58

Coroner:

A-140	Salary—Coroner	2,400.00
	Expense—Coroner	900.00
A-145	Coroner's Juries, Inquests, etc	1,000.00

Total, Coroner\$ 4,300.00

Magistrates:

A-150	Salary—Magistrate 3rd District	\$ 3,850.00
A-151	Salary—Clerk I to Magistrate	3,276.00
A-154	Salary—Magistrate 8th District	1,200.00
A-154A	Expense—Magistrate 8th District	300.00
A-155	Salary—Other 6 Magistrates	9,360.00

Total, Magistrates\$ 17,986.00

Master:

A-160	Office rent—Master	\$ 240.00
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Total, Master\$ 240.00

Probate Judge:

A-164	Salary—Judge of Probate	\$ 6,300.00
A-165	Salary—Clerk II—Judge of Probate	3,276.00

Total, Judge of Probate\$ 9,576.00

Lunacy Examinations:

A-175	Mental Health and Lunacy Examinations	\$ 2,500.00
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Total, Lunacy Examinations\$ 2,500.00

Civil and Domestic Relations Court:

A-180	Salary—Judge, Civil and Domestic Relations Court	\$ 10,000.00
A-182	Salary—Probation Counsellor	4,920.00
A-183	Mileage—Probation Counsellor	900.00
A-186	Salary—Clerk I—Domestic Relations Court ...	1,890.00
A-187	Salary—Clerk II—Domestic Relations Court ...	3,181.50
A-191	Court Expense—Civil and Domestic Relations Court	5,500.00

Total, Civil and Domestic Relations Court \$ 26,391.50

Jail:

A-200	Jail—Food Only	\$ 6,000.00
A-200A	Jail—Expense other than food	6,000.00
A-201	Salary—Jailer	3,339.00
A-203	Salary—Assistant Jailer	2,400.00

Total, Jail

\$ 17,739.00

Total, Item 3—Court Expense \$109,630.08

Item 4. Poor and Needy:

Emergency Relief:

A-210	Relief—General and Emergency	\$ 250.00
A-211	Charity Coffins	1,500.00
A-212	Child Health and Welfare	1,200.00

Total, Emergency Relief \$ 2,950.00

Department of Public Welfare:

A-220	Department of Public Welfare	\$ 600.00
A-222	Travel—Child Welfare Worker	500.00

Total, Department of Public Welfare \$ 1,100.00

Hospitalization:

A-225	Hospitalization—Tuomey Hospital only	\$ 35,000.00
A-226	Certification by Dept. of Public Welfare	2,000.00
A-228	Outpatients—Other Hospitals and Homes	3,500.00

Total, Hospitalization \$ 40,500.00

Tuberculosis:

A-235 Pneumothorax—TB Outpatients and Medicines \$ 1,000.00

Total, Tuberculosis\$ 1,000.00

Nursing Center:

A-241 Recreation and Nursing Center\$ 240.00

Total, Nursing Center\$ 240.00

Charity School Clothing:

A-244 Clothing, Needy School Children\$ 1,500.00

Total, Charity School Clothing\$ 1,500.00

Health Department:

A-247 County Health Department\$ 31,500.00

A-248 Pharmaceuticals 100.00

Total, Health Department\$ 31,600.00

County Service Officer:

A-250 Salary—County Service Officer\$ 4,500.00

A-252 Salary—Clerk II to Service Officer 2,625.00

Total, Service Office\$ 7,125.00

Pensions:

A-270 Pensions—Confederate Widows (2)\$ 900.00

Total, Pensions\$ 900.00

A-271 Mental Health:

Mental Health Board\$ 12,000.00

Total, Mental Health\$ 12,000.00

Total, Item 4—Poor and Needy\$ 98,915.00

Item 5. Law Enforcement:

Sheriff:

A-275 Salary—Sheriff\$ 8,400.00

A-276 Auto Expense—Sheriff 2,500.00

A-277 Chief Deputy Sheriff—Salary 4,900.00

Expense 3,960.00

A-278 Assistant Chief Deputy Sheriff—Salary 4,600.00

Expense 3,360.00

A-285	Other 9 Deputies—Salary (\$370.00)	35,520.00
	Expense	25,920.00
A-290	Extra Police Help	5,000.00
A-292	Salary—Clerk I to Sheriff	3,024.00
A-295	Extra Help—Sheriff's Office	720.00
A-298	Uniforms and Supplies	3,000.00
A-299	Arms, Ammunition, Schools, Technical Supplies	1,000.00
A-301	Rural Police Radio Service	2,500.00
A-302	Transportation of Prisoners	1,000.00
A-303	Secret Service and Rewards	1,500.00
A-304	S. C. Police Officers' Retirement System	9,000.00
Total, Sheriff		\$115,904.00
Solicitor:		
A-310	Expense—Solicitor	\$ 600.00
A-311	Salary—Clerk II to Solicitor	2,625.00
Total, Solicitor		\$ 3,225.00
Probation Office:		
A-313	Office Expense—S. C. Probation and Parole Board	\$ 150.00
Total, Probation Office		\$ 150.00
County Attorney:		
A-315	Salary—County Attorney	\$ 900.00
A-316	Legal Expense—County Attorney	1,000.00
Total, County Attorney		\$ 1,900.00
Total, Item 5—Law Enforcement		\$121,179.00
Item 6. Administration:		
County Board of Commissioners:		
A-320	County Board—Per Diem, salary and travel	\$ 8,000.00
A-323	Salary—Clerk to County Board	6,800.00
A-325	Salary—Deputy Clerk and Bookkeeper to Board	4,380.00
A-330	Contingent Fund—County Board	1,500.00
Total, County Board of Commissioners		\$ 20,680.00

Auditor:

A-335	Part Salary—Auditor	\$ 3,460.00
A-336	Salary—Deputy Auditor	4,380.00
A-337	Salary—Clerk II to Auditor	2,583.00
A-338	Salary—Clerk II to Auditor	2,835.00
A-339	Salary—Clerk II to Auditor	2,740.50
A-340	Extra Help—Auditor's Office	1,500.00
A-341	Per Diem—Tax Assessors and Appeals Board	250.00

Total, Auditor

\$ 17,748.50

Treasurer:

A-344	Part Salary—Treasurer	\$ 3,100.00
A-346	Salary—Clerk I to Treasurer	3,429.00
A-347	Clerk II to Treasurer	2,604.00

Total, Treasurer

\$ 9,133.00

Tax Collector:

A-355	Salary—Tax Collector	\$ 5,700.00
A-355A	Mileage—Tax Collector	650.00
A-356	Salary—Clerk I to Tax Collector	3,276.00
A-357	Salary—Clerk II to Tax Collector	2,460.00
A-360	Salary and Mileage—Tax Collector's Riders ..	8,360.00
A-363	Extra Help—Tax Collector's Office	250.00
A-364	Tax Warrant Service Fees to Police	800.00

Total, Tax Collector

\$ 21,496.00

Total, Item 6—Administration

\$ 69,057.50

Item 7. Miscellaneous:

A-365	Expense—Rural Fire Control	\$ 10,000.00
A-370	Telephone and Telegraph	10,000.00
A-371	Postage, Stationery, Office Supplies	17,000.00
A-372	General Election Expense	900.00
A-374	Annual Audit	3,350.00
A-375	Advertising Tax Sales, Bids, Reports, etc	2,000.00
A-376	Salary—Vital Statistics Clerk	2,400.00
A-377	Employees' Group Insurance Premiums	2,500.00
A-380	Officials' and Employees' Bond Premiums	850.00
A-382	Workmen's Compensation Premium Tax	500.00
A-383	State Retirement—County's Share	9,500.00

A-384	Social Security—County's Share	10,000.00
A-385	Rabies Control—Dog Warden's Salary and Expense	1,400.00
A-386	County Planning Board	5,046.84
A-387	Sumter Chamber of Commerce	1,000.00
A-389	Sumter County Development Board	5,000.00
A-390	Maintenance—Sumter City Streets	50,000.00
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	Total, Item 7—Miscellaneous	\$131,446.84
Item 8. National Defense:		
A-392	Sumter Armory Maintenance	\$ 1,000.00
A-392A	Civil Defense Expense	2,500.00
A-393	U. S. Naval Reserve Unit 6-22	250.00
A-395	Armed Services YMCA	1,980.00
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	Total, Item 8—National Defense	\$ 5,730.00
Item 9. Insect and Pest Control:		
A-397	Sumter County Fly and Mosquito Control	\$ 4,400.00
A-398	City DDT Campaign	1,500.00
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	Total, Item 9—Insect and Pest Control	\$ 5,900.00
Item 10 Education:		
Superintendent of Education:		
A-402	Per Diem—County Board of Education	\$ 570.00
A-405	Salary—Superintendent of Education	1,870.00
A-406	Salary—Clerk II to Supt. of Education	2,961.00
A-407	Salary—School Attendance Supervisor	1,704.00
A-408	Salary—Clerk II to Attendance Supervisor ..	2,961.00
A-409	County Board of Education—Dues	75.00
A-410	Adult Education	1,500.00
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	Total, Superintendent of Education	\$ 11,641.00
Future Homemakers of America:		
A-412	Future Homemakers of America	\$ 200.00
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	Total, Future Homemakers of America	\$ 200.00
Home Demonstration Agent:		
A-415	Part Salary—Home Demonstration Agent	\$ 360.00
A-416	Part Salary—Ass't Home Demonstration Agent	360.00

A-417	Salary—Steno to Home Demonstration Agent	1,450.00
A-418	Home Demonstration Supplies	225.00
A-420	Sumter County Council of Farm Women	100.00
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	Total, Home Demonstration Agent	\$ 2,495.00
County Farm Agent:		
A-430	Part Salary—Farm Agent	\$ 1,840.00
A-431	Part Salary—Ass't. of Farm Agent	660.00
A-432	Part Salary—Ass't. to Farm Agent	1,920.00
A-433	Part Salary—Steno to Farm Agent	1,500.00
A-435	Travel—Farm Business Research	200.00
A-436	White Farm Agent—Long Distance Telephone expense	300.00
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	Total, County Farm Agent	\$ 6,420.00
Negro Home and Farm Agent:		
A-445	Part Salary—Negro Farm Agent	\$ 600.00
A-446	Part Salary—Negro Home Demonstration Agent	920.00
A-447	Salary—Negro Clerical Help	1,980.00
A-448	Office Rent—Negro Farm Agent	900.00
A-449	Supplies—Negro Home and Farm Agents	250.00
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	Total, Negro Home and Farm Agents	\$ 4,650.00
4-H Camps and Club Work:		
A-455	4-H Summer Camp Expense	\$ 650.00
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	Total, 4-H Camps and Club Work	\$ 650.00
Soil Conservation Office:		
A-462	Salary—Steno to Soil Conservation Agent	\$ 1,200.00
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	Total, Soil Conservation Office	\$ 1,200.00
County Fair:		
A-465	Sumter County Fair Association	\$ 1,300.00
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	Total, County Fair	\$ 1,300.00
Forest Ranger:		
A-470	Part Salary—Forest Ranger	\$ 240.00
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	Total, Forest Ranger	\$ 240.00

Cotton Platform:		
A-475	Rent—Cotton Platform	\$ 360.00
Total, Cotton Platform		\$ 360.00
Game Wardens:		
A-480	Game Warden—Telephone Expense	\$ 120.00
A-481	Game Wardens' Expense	720.00
Total, Game Wardens		\$ 840.00
Technical Education:		
A-482	Technical Education Center	\$ 12,200.00
Total, Technical Education		\$ 12,200.00
Total, Item 10—Education		\$ 42,196.00
GRAND TOTAL		\$815,814.42

SECTION 2. Before any new county employee is employed by any department, the county board of commissioners shall first approve the salary or compensation to be received by such new employee, which salary or compensation shall not exceed that as set forth in the prevailing salary schedule.

SECTION 3. The amount herein provided for the salary of the sheriff, treasurer, judge of probate and clerk of court shall be in lieu of all fees collected pursuant to the laws of the State of South Carolina and the amounts herein provided shall be the salaries of such officers for all their services for the fiscal year commencing July 1, 1964.

SECTION 4. The above accounts shall be kept separate and expended for the purposes for which appropriated; and the county board of commissioners shall not expend or contract to expend under any general item any sum greater than the amount for such general item herein appropriated, except with the approval of a majority of the county delegation, and no account against the county shall be approved or paid except a properly authorized expenditure by the county board.

SECTION 5. In the purchase of equipment, or articles needed in the operation of any branch of the county government, or in the employment of any person, firm or corporation, for any article or service

to be rendered to the County of Sumter, price and quality being equal, preference shall be given to citizens, firms or corporations of Sumter County, if available, but if not available within the county, then preference on same basis shall be given to persons, firms or corporations of the State of South Carolina, and where not available within the county or State, they may be procured to best advantage from other sources. All county supply purchases (except for schools) shall be made through the office of the county board of commissioners and on purchases amounting to one hundred dollars, or more, bids from two or more vendors shall be called for.

SECTION 6. The Treasurer of Sumter County is hereby authorized, empowered and directed to pay any sum of money from such fund or funds and for such purposes as she may be directed in writing by a majority of the Sumter County Legislative Delegation.

SECTION 7. The Chairman of the Sumter County Board of Commissioners shall have the custody and control of the second floor of the courthouse and no use shall be had of that part of the building without the consent and approval of the chairman.

SECTION 8. The expense of the following items, while herein fixed at amounts of estimated needs, may vary in accordance with the fixed charges payable under such items as required by law, and by reason thereunder may not be sufficient:

- A-120 Jury Pay and Court Expense
- A-191 Court Expense—Civil and Domestic Relations Court
- A-383 State Retirement—County's share
- A-384 Social Security—County's share
- A-304 S. C. Police Officers' Retirement System
- A-375 Advertising Tax Sales, Bids, Reports, etc.
- A-402 Per Diem—County Board of Education
- A-145 Coroner's Juries, Inquests, etc.
- A-175 Mental Health and Lunacy Examinations
- A-341 Per Diem—Tax Assessors and Appeals Board
- A-380 Officials' and Employees' Bond Premiums
- A-364 Tax Warrant Service Fees to Police
- A-382 Workmen's Compensation Premium Tax

The Treasurer of Sumter County is authorized to pay such sums as may be necessary to meet the fixed expenses of the items mentioned in this section in excess of the amount appropriated therefor.

SECTION 9. The county board of commissioners shall publish, in at least one newspaper published in the county, a consolidated statement of all receipts and disbursements annually, as of July first of each year.

SECTION 10. The Treasurer of Sumter County is directed to pay to the City of Sumter one-fourth of all amounts received from the tax on gasoline which is designated for general county purposes, to be used for the maintenance of streets in the City of Sumter.

SECTION 11. The county auditor shall deliver the tax books to the county treasurer not later than September first of each year.

SECTION 12. Notwithstanding the provisions of Section 64-151 of the 1962 Code, in Sumter County only National Thanksgiving Day, all general election days, the twenty-fifth and twenty-sixth days of December, the first day of January, the fourth day of July, and the first Monday in September shall be legal holidays.

SECTION 13. No levy for school purposes shall be made in any district unless approved by the county board of education and a majority of the legislative delegation, including the Senator.

SECTION 14. Notwithstanding the provisions of Section 42-644 of the 1962 Code, the board of the Carnegie Public Library of Sumter shall submit its annual budget to the county legislative delegation for approval.

SECTION 15. Any monies appropriated to the Mental Health Board in the 1963-64 Sumter County Appropriations Act, and which remain unexpended, may be carried over and expended during the fiscal year 1964-65.

SECTION 16. This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1964.

ties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Union Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Union County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed conservation districts may be formed in Union County.—Authority is hereby granted to form watershed conservation districts within Union County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at

the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the ballots and announce the results. The cost of holding the referendum shall be paid from the general fund of Union County. *Provided*, that notwithstanding any provision of law to the contrary the power of eminent domain shall not be exercised over the protest of any landowner until it is conclusively established that the land proposed to be condemned

is absolutely essential to the creation and operation of the soil conservation district.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For creation of Watershed Conservation District”

“Against creation of Watershed Conservation District”

A square shall follow each proposition. The ballot shall contain a direction to insert an “X” mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided*, however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the

supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Union County, the Code Commissioner and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.

—(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed

conservation district, and shall, upon the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years. Any vacancy shall be filled for the unexpired term as provided to original directors.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and

expenses of organizing the watershed conservation district for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

SECTION 11. Bonds not to be issued unless referendum held.—

(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Union County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have been, are not and cannot be benefited by their in-

clusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Union County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the Watershed Conservation District" and "Against terminating the existence of the Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided*, however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Union County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—

If the Union Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Union County.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

**An Act To Authorize The Union County Board Of Education
To Borrow Not Exceeding One Hundred Sixty-Five Thousand**

Dollars To Be Used For School Purposes And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Union County Board of Education may borrow money.—The Union County Board of Education is hereby authorized to borrow not exceeding one hundred sixty-five thousand dollars from the Division of Sinking Funds and Property or any other lending agency at the lowest interest rate available for the purpose of constructing additional facilities, making additions to existing buildings or for equipping such facilities for school purposes. The amount borrowed shall be evidenced by a note to be executed by the chairman and the secretary of the board. The note together with accrued interest shall be payable in five equal annual installments with the borrower having the right to anticipate payment of the note in part or in whole at any time without penalty.

SECTION 2. Payment.—For the payment of the note the board shall pledge the annual grant from the State Educational Finance Commission for the repayment of the loan and the interest thereon.

SECTION 3. Payment further.—If the loan is from the Division of Sinking Funds and Property and if there be default in the payment of any installment of principal and interest due under the terms of the note the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not been heretofore pledged, for the payment of such installment and shall transmit the funds withheld to the Division of Sinking Funds and Property.

SECTION 4. Payment further.—As additional security for the loan, in the event the annual grant to the county by the State Educational Finance Commission shall be insufficient to pay the principal and interest on the loan, the Auditor of Union County shall levy and the treasurer of the county shall collect an annual tax upon all of the taxable property in the county sufficient to retire the loan and the interest due thereon and the entire proceeds of the levy shall be applied to the payment of the note inclusive of interest in full at which time the levy provided for herein shall be terminated.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R1347, H2733)

No. 1365

A Joint Resolution To Authorize The Board Of Trustees Of Hope Hospital, At Lockhart, In Union County, To Provide For A Plaque Or Marker In Memory Of Mr. W. M. Vanderford.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Hope Hospital to erect marker in honor of W. M. Vanderford.—The Board of Trustees of the Hope Hospital, at Lockhart, in Union County, is hereby authorized and requested to accept contributions which shall be used to provide for a suitable plaque or marker to be placed at the hospital as a memorial to Mr. W. M. Vanderford, deceased, for his outstanding work and unselfish devotion to the hospital and community as a member of the Board of Trustees of the Hope Hospital.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1379, H2487)

No. 1366

An Act To Appropriate Money For The Ordinary Operating Expenses Of Union County For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965, And To Appropriate Money For Certain Other Purposes And To Provide A Tax Levy Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subject to the terms and conditions of this act, the several sums of money hereinafter designated, if so much be necessary, are hereby appropriated to defray the ordinary operating expenses of Union County during the fiscal year beginning July 1, 1964, and ending June 30, 1965, and to provide for other purposes hereinafter stated :

Item 1. Auditor's Office:

A. Salaries:

1. Auditor (County's part)	\$ 2,210.90
2. Clerk	2,915.75

3. Assistant Clerk	2,969.25
B. Travel in taking tax returns	200.00
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Total, Item 1	\$ 8,295.90
Item 2. Circuit Courts:	
A. Expenses of Regular Terms	\$ 5,000.00
<i>Provided</i> , that the Grand Jurors and Petit Jurors shall be paid at the rate of ten dollars per day and shall receive mileage at the rate of ten cents per mile one way; the Court Crier and Bailiffs shall receive not exceeding eight dollars per day; the jury boy shall receive not exceeding five dollars per day. The Sheriff of Union County shall not employ more than five Bailiffs or other attendants, exclusive of the Court Crier, at any terms of Court of General Sessions, and more than four Bailiffs or other court attendants, exclusive of the Court Crier, at any term of Court of Common Pleas for Union County. The Clerk of Court shall employ an attendant or janitor during the session of court and such attendant or janitor shall receive eight dollars per day for his services.	
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Total, Item 2	\$ 5,000.00
Item 3. Civil and Criminal Court of Union, and Juvenile and Domestic Relations Court:	
A. Salaries:	
1. Judge	\$ 5,414.20
2. Solicitor	3,916.20
3. Court Reporter	2,915.75
B. Expenses, Regular Term:	
Court Sessions	3,000.00
<i>Provided</i> , that the Grand Jurors and the Petit Jurors shall be paid at the rate of ten dollars per day and shall receive mileage at the rate of ten cents per mile one way; the Court Crier and Bailiffs shall receive not exceeding eight dollars per day. The Sheriff of Union County shall not employ more than three Bailiffs or	

other attendants, exclusive of the Court Crier, at any term of the Court. The Clerk of Court shall employ an attendant or janitor during the session of the Court and such attendant or janitor shall receive eight dollars per day for his services. *Provided*, the Judge shall order the payment of the expenses of the Court. (Exempted from Section 8 and Section 16.)

Total, Item 3\$ 15,246.15

Item 4. Clerk of Court's Office:

A. Salaries:

1. Clerk of Court	\$ 5,210.90
2. Deputy Clerks, 2 @ \$2,915.75 each	5,831.50
3. Microfilming	275.00
4. Supplies and Fixtures	4,000.00

Total, Item 4\$ 15,317.40

Item 5. County Governing Board and Supervisor's Office:

A. Salaries:

1. Township Commissioners, 8 at \$898.80 each ..	\$ 7,190.40
<i>Provided</i> , that they shall meet regularly at Union County Courthouse on the first Monday and third Friday of each and every calendar month during the fiscal year.	
2. Supervisor	5,200.00
3. County Bookkeeper	4,098.10
4. Chain Gang Captain	3,210.00
Expenses	600.00
5. Chain Gang Guards, 10 @ \$2,782.00 each	27,820.00
6. Mechanic	3,333.05
7. Janitor for Courthouse	2,846.20
8. County Doctor	869.37
9. County Attorney	1,107.45
10. Farmer at County Farm	2,782.00
11. Practical Nurses at County Home, 2 @ \$1,348-.20 each	2,696.40
12. Housekeeper at County Home	968.35

- B. Materials, Supplies and Repairs:
1. Maintenance and repair of road machinery, trucks 15,000.00
 - a. For purchase of new road machinery, if so much be necessary 15,000.00

Provided, that the Supervisor shall cause to be kept an accurate record of the operating and repair costs with respect to each truck and/or machine.
 2. Bridges and Bridge Repairs 3,000.00
 3. Top Soil and gravel for dirt road maintenance . . . 2,000.00
 4. Feeding, clothing and housing convicts 14,000.00

Provided, the Captain of the Chain Gang shall make a monthly report in writing to County Supervisor of all food produced and the use made thereof at the County Chain Gang.
 5. Gasoline, oil and grease 12,000.00
 6. Public buildings—Repairs, heat, lights, power, water and telephone 10,000.00

Provided, that telephones in county offices shall not be used for long distance calls except on county business; and *provided*, further, that \$1,000.00 of the above figure is set aside exclusively for maintenance or repairs on the Courthouse, and is to be paid out only on order and approval of the Union County Legislative Delegation.
 7. Books, stationery and office supplies 5,000.00

Provided, the different county officers in the Union County Courthouse may purchase the books, stationery and office supplies for their respective offices. (Exempted from Section 8 and Section 16.)
 8. Materials for maintenance of surface-treated roads 15,000.00

Provided, that any moneys in excess of \$2,500.00 shall be approved by unanimous order of the Union County Legislative Delegation.
- C. 1. Surface-treating county roads, including necessary road preparation 5,000.00

Provided, that the plans and methods and any contracts for surface-treating such roads shall first be approved by the Governing Board, and the Governing Board shall designate the roads to be surface-treated, with unanimous approval of the Union County Legislative Delegation.

D. County Home 12,000.00

Provided, the Superintendent of the County Home shall make a monthly report in writing to the County Supervisor of all food produced and the use made thereof on the County Farm and at the County Home.

E. Miscellaneous Items:

1. Premiums for insurance on public buildings	3,000.00
2. Workmen's Compensation Insurance Premiums	2,000.00
3. County's required contribution under Retirement System and Social Security	9,000.00
4. Post mortems and lunacies	1,000.00

Total, Item 5 \$185,721.32

Item 6. Magistrates and Constables:

A. Salaries:

Magistrate at Buffalo	\$ 927.77
Magistrate at Carlisle	927.77
Magistrate at Cross Keys	927.77
Magistrate at Goshen Hill	927.77
Magistrate at Jonesville	927.77
Magistrate at Lockhart	927.77
Magistrate at Santuc	927.77
Magistrate at Union Courthouse	4,681.25
Constable at Buffalo	781.80
Constable at Carlisle	781.80
Constable at Cross Keys	781.80
Constable at Goshen Hill	781.80
Constable at Jonesville	781.80
Constable at Lockhart	781.80
Constable at Santuc	781.80

Total, Item 6 \$ 16,648.24

Item 7. Probate Judge and Master's Office:

A. Salaries:

1. Probate Judge and Master	\$ 5,210.90
2. Clerk to Probate Judge and Master	2,915.75
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Total, Item 7	\$ 8,126.65

Item 8. Sheriff's Office:

A. Salaries:

1. Sheriff	\$ 4,979.06
2. Official expense allowance for Sheriff	600.00
3. Ten Deputy Sheriffs @ \$3,852.00 each	38,520.00
4. Clerk to Sheriff	2,915.75
5. Jailor and Teletype operator	3,852.00
6. Salary, Maintenance of radio system	642.00
7. Radio Supplies, if so much be necessary	2,500.00

Provided, that no funds shall be paid from this account unless approved by the County Radio Technician.

B. Supplies:

1. Dieting jail prisoners	4,000.00
<i>Provided</i> , the Sheriff shall receive \$1.20 per day per prisoner, for dieting, if so much be necessary.	
2. Jail expenses, miscellaneous	1,200.00
3. Gasoline, oil and repairs for patrol automobiles and radio system	4,000.00

Provided, the Sheriff and his deputies shall be furnished with such gasoline and oil, which gasoline and oil shall be used only in discharge of their official duties or official business. The Sheriff and each deputy sheriff, upon receipt of such gasoline and oil, shall sign a ticket therefor, which ticket shall set forth the name of the officer receiving same, the amount received and the date thereof. Such ticket shall be transmitted to the county bookkeeper monthly and a permanent record of the monthly totals received by each official shall be kept by the bookkeeper and charged to this item.

4. Payment for two patrol cars to be purchased ..	3,500.00
<i>Provided</i> , purchases shall be approved by the Governing Board and Legislative Delegation.	

Courthouse Custodian	600.00
Total, Item 8	\$ 67,308.81
Item 9. Treasurer's Office:	
A. Salaries:	
1. Treasurer (County's part)	\$ 2,210.90
2. Clerk to Treasurer	2,915.75
B. Travel in collecting taxes	200.00
Total, Item 9	\$ 5,326.65
Item 10. Miscellaneous Appropriations:	
A. Coroner's Salary	\$ 2,034.77
B. Health Officer's Salary (County's part)	904.59
C. Board of Equalization	4,000.00
<i>Provided</i> , that each member of the Board of Assessors shall receive \$8.00 per day for serv- ices actually performed.	
D. Premiums on Officers' Bonds	1,000.00
E. Audit of Union County's books to be made under the direction of the Grand Jury of Union County	2,500.00
F. Contingent Fund for Union County Legislative Delegation to meet unforeseen requirements ...	20,000.00
G. Adult Education	1,500.00
H. To be expended as high school textbook rental for children whose parents or guardians are re- ceiving public welfare funds for support, pro- vided Union County Public Welfare Department and Union County Public Schools shall certify entitlement	500.00
Total, Item 10	\$ 32,439.36
Item 11. Pensions and Contributions:	
A. Widows of Confederate Veterans	\$ 600.00
B. Hope Hospital	5,000.00
C. Wallace Thomson Hospital (payable monthly) ..	25,000.00
D. Salvation Army	900.00
E. Boy Scouts	300.00
F. Girl Scouts	300.00
G. Boys' City, Laurens, S. C.	100.00

H. Union County Tuberculosis Clinic	900.00
I. American Legion:	
1. Buffalo Post	100.00
2. Jonesville Post	100.00
3. Lockhart Post	100.00
4. Union Post	100.00
J. Veterans of Foreign Wars	100.00
J. (2) Disabled American Veterans	100.00
K. National Guards:	
1. Co A 218th Infantry (Union)	800.00
2. Troop A, 53rd Cavalry Div. (Lockhart)	900.00
3. Hdq. Co., 1st Battalion (Union)	800.00
4. Heavy Motor Company, 218th Infantry (Jonesville)	900.00
Where companies are combined, the combined units shall share pro rata in the combined funds.	
L. Jonesville Chapter, Future Farmers of America	200.00
M. Union Community Hospital (payable monthly)	1,500.00
<i>Provided</i> , however, that any hospital established through grant or by foundation shall file with the Clerk of Court of Union County and each member of the Union County Legislative Delegation a copy of their audit for the current fiscal year in order to receive funds appropriated in this act.	
N. Union County Soil Conservation Committee ..	300.00
<i>Provided</i> , payment of this item shall be made on Delegation order.	
O. Salary, Service Men Emergency Leave Requests, Union County Chapter, American Red Cross	420.00
<i>Provided</i> , payment of this item shall be made on Delegation order.	
P. Civil Air Patrol	750.00
Q. Fire Departments:	
1. Buffalo Fire Department	200.00
2. Monarch Fire Department	200.00
3. Lockhart Fire Department	200.00
Total, Item 11	\$ 40,870.00

Item 12. Supplements for State and Federal Agencies:

A. County Service Officers:

1. Service Officer's Salary	\$ 1,500.00
2. Salary of Assistant to Service Officer	1,037.90
3. Travel for Service Officer	400.00

B. Health Department:

1. General Services	8,935.00
<i>Provided, however, that at least two Public Health Nurses shall be employed at all times.</i>	
2. For Rabies Control, to be used by the County Health Department as it deems most effective for controlling rabies in Union County	700.00

C. Home Demonstration Agent's Office (White):

1. Stenographer's salary	1,178.77
2. Demonstration supplies, stamps and telephone, etc.	150.00
3. Agent's salary	272.85

D. Home Demonstration Agent's Office (Negro):

1. Agent's salary and travel	834.60
2. Rent (Home Demonstration Agent and Agricultural Agent—joint)	288.00
3. 4-H Club Work for Colored Girls	100.00
4. Fuel	40.00
5. Stenographer's salary	411.95
6. Demonstration Material	50.00

E. Agricultural Agent's Office (White):

1. Agent's salary	759.70
2. Stenographer's salary	481.50
3. Rent—to be paid monthly	228.00
4. 4-H Club (White)	150.00
5. Stamps, Incidentals	25.00

F. Agricultural Agent's Office (Negro):

1. Telephone—joint with Home Demonstration Agent (Negro)	99.00
2. 4-H Club Work (Negro)	100.00
3. Stenographer's salary	1,107.45
4. Equipment and demonstration supplies	50.00

G. Circulating Library:

1. Salary—Head Librarian	2,081.15
2. Salary—Librarian Assistant	1,872.50

3. Rent, to be paid monthly	72.00
4. Purchase of Books	500.00
H. Agricultural Conservation Association:	
1. Rent, to be paid monthly	480.00
I. Farm Home Administration:	
1. Rent, to be paid monthly	240.00
J. Soil Conservation Service:	
1. Rent, to be paid monthly	240.00
K. County Department of Public Welfare:	
1. Salaries:	
(a) Director	759.70
(b) Visitors, 4 @ \$690.15 each	2,760.60
(c) Stenographers, 2 @ \$690.15 each	1,380.30
(d) Board Members, 3 @ \$759.70 each	2,279.10
2. Rent and Miscellaneous Office Expenses	1,000.00
<i>Provided</i> , that one-fourth of this item shall be remitted by the County Treasurer quarterly to the State Department of Public Welfare for matching federal funds for these purposes, and that all items paid out of such funds by the State Department shall be first approved by the Director of the Union County Department of Public Welfare.	
3. Foster Home Fund	500.00
4. Emergency Relief, to be disbursed by orders of a majority of the Union County Board of Public Welfare after proper investigation	2,500.00
5. Office Expense	1,200.00
L. County Forest Rangers:	
1. Ranger	829.25
2. Two Wardens @ \$759.70 each	1,519.40
3. Towerman at Kelly Tower	411.95
Union County Mental Health Association	5,000.00
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Total, Item 12	\$ 44,525.67
Item 13. County Game Warden:	
A. Salary	\$ 2,632.20
B. Expenses	600.00
<i>Provided</i> , the County Game Warden shall keep the County Legislative Delegation informed of	

the status of fish and game resources in Union County.

Total, Item 13	\$ 3,232.20
Item 14. To effectuate the registration of voters for the fiscal year 1963-1964 and to be spent in the same manner as ordinary county funds	\$ 3,000.00
Total, Item 14	\$ 3,000.00
GRAND TOTAL	\$451,058.35

SECTION 2. The payment of the respective appropriations contained in each item of Section 1 hereof, except when otherwise expressly provided, shall not exceed one-fourth ($\frac{1}{4}$) or twenty-five per cent (25%) of the total annual appropriation of such item during any consecutive three months' quarter of the current fiscal year, 1964-1965, commencing July 1, 1964, and on the first day of each successive month thereafter, the last day of each third month being reckoned as the end of such quarter. The foregoing requirement of this section shall not be waived except by written unanimous consent of all members of the Union County Legislative Delegation, and any county official who overspends and disburses any money or monies in excess of one-fourth ($\frac{1}{4}$) or twenty-five per cent (25%) of the total annual appropriation of any item during any three (3) consecutive months' quarter of the current fiscal year, 1964-1965, as aforesaid, except when such requirement has been waived by written unanimous consent of all members of the Union County Legislative Delegation, shall thereby and thereupon forfeit the office and shall immediately vacate the office or be subject to immediate removal from office. The Union County Legislative Delegation may transfer funds from any item or items to any other item or items in the county appropriations act of the fiscal year 1964-1965, by unanimous delegation order in writing.

SECTION 3. For the fiscal year beginning with July 1, 1964, and ending with June 30, 1965, the Auditor of Union County is hereby authorized and directed to levy, and the Treasurer of Union County to collect, as and when other county property taxes are levied and collected, upon all taxable property in Union County, a tax of such millage as will, when added to all other income or revenue received

by the county for general purposes during such fiscal year, produce sufficient funds to meet the sums of money appropriated herein or prior hereto; *provided*, that the millage so levied shall be approved in writing by the entire Union County Legislative Delegation.

SECTION 4. The salary of no employee of Union County shall be increased or supplemented from any county funds above the amount appropriated for such employee in Section 1 hereof, except with the unanimous consent of the Union County Legislative Delegation.

SECTION 5. The County of Union shall assume the balance of the outstanding road bonds issued by the Bogansville Township.

SECTION 6. The Grand Jury of Union County shall appoint the auditor to audit the books of Union County, Wallace Thomson Hospital and Union County Schools. *Provided*, however, that the persons or firm so appointed shall be certified public accountants; and *provided*, further, that the schools and the hospitals shall bear the cost of their respective audits. Such auditor shall be paid after the completion of the work and the delivery of the audits. The original of the audits shall be filed with the clerk of court, who shall keep the same on file as public audits, and a copy thereof shall be furnished to each member of the legislative delegation.

SECTION 7. In all matters to be determined under this act by the Union County Delegation, no action shall be valid or binding unless concurred in by all members of the delegation.

SECTION 8. The supervisor and governing board of Union County shall be the sole purchasing agent for all supplies, equipment, machines, etc., used by any officer, agent or department of Union County, and all purchases in excess of one hundred dollars shall be made on a competitive bid basis after advertisement in the Union Daily Times for a period of ten days prior to such purchases; *provided*, that such advertisement shall be published twice during such ten-day period. No vouchers or warrants for purchases made in violation of this section (except emergency purchases provided for in Section 14 hereof) shall be approved for payment by the supervisor and governing board or paid by the county treasurer. *Provided*, this section shall not apply to those items specifically exempted in Section 1 of this act.

SECTION 9. The Sheriff of Union County shall be the custodian of the courthouse and courthouse grounds and shall have supervision

over the courthouse janitor. The Union County Legislative Delegation may by unanimous agreement assign office space in the Union County Courthouse.

SECTION 10. All fees and costs collected by any official of Union County shall be turned over to the Treasurer of Union County at least once each month. *Provided*, however, the magistrates shall be allowed to retain their respective costs and fees in all civil matters as a part of their compensation; and the sheriff, as constable for the magistrate at Union County Courthouse, shall likewise be allowed to retain his costs and fees as a part of his compensation.

SECTION 11. The supervisor of Union County shall appoint a superintendent of the County Home and a Captain of the Union County Chain Gang. The Governing Body of Union County shall elect a county mechanic, and eight (8) chain gang guards. The commissioner from each of the respective townships shall recommend with the approval of the captain of the chain gang the election of one (1) of said chain gang guards, and in the event any commissioner or commissioners shall fail or refuse to recommend the election of a chain gang guard or chain gang guards, as hereinbefore provided, within a period of four (4) weeks of a vacancy in such position or positions, then the Governing Body of Union County shall elect a chain gang guard or chain gang guards to fill such vacant position or positions. The Senator and the two members of the House of Representatives, as the Legislative Delegation of Union County, are authorized and empowered to declare a state of emergency concerning any work or affairs or employees of Union County by signing and filing an order with the county supervisor ordering work to be performed on county property, roads and facilities, and requiring work to be done to promote the industrial development of the county and the general welfare. The Union County Legislative Delegation may name a superintendent of surface-treated roads. The superintendent of surface-treated roads may name two (2) convict camp guards from the county at large with approval of the legislative delegation. One of the convict camp guards so appointed shall serve as day yardman at the chain gang camp and the other convict camp guard shall assist with the surface-treating program under the superintendent of surface-treated roads. The Union County Legislative Delegation shall by unanimous delegation order appoint a county attorney and a county bookkeeper.

SECTION 12. The superintendent of surface-treated roads shall requisition the supervisor, county bookkeeper, the governing body of Union County, and the captain of the chain gang for the equipment and materials and personnel necessary and required by the superintendent of surface-treated roads to construct, maintain, and repair the surface-treated roads of Union County, including bridges thereon, and driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, and in the event of any dispute or conflict involving surface-treated roads, bridges thereon, and driveways and church yards and cemeteries, and all other surface-treated work and projects of Union County, or the equipment, materials or personnel used in the construction or maintenance or repair of same, arising between any of the officials or agencies of Union County, such dispute or conflict shall be unanimously resolved in writing by all members of the Union County Legislative Delegation, and such unanimous determination and decision by all members of the Union County Legislative Delegation, rendered in writing, shall be final and binding upon all officials and agencies of Union County concerned by the dispute or conflict involving surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County or the equipment, materials or personnel used in the construction or maintenance or repair of the same, or to be used for such purpose or purposes. Otherwise, the captain of the chain gang shall make all job and work assignments at the Union County chain gang, including both employees and prisoners, and, except as otherwise herein provided, shall be in direct and immediate control at all times. All instructions from the Union County Supervisor and the Governing Body of Union County concerning surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, or the equipment, materials or personnel used or to be used in the construction or maintenance or repair of same shall be transmitted directly to the superintendent of surface-treated roads and all other instructions from the Union County Supervisor or the Governing Body of Union County concerning matters other than matters and affairs related to surface-treated roads as aforesaid shall be transmitted directly to the captain of the Union County Chain Gang.

SECTION 13. The Supervisor of Union County shall have general supervision of, and be responsible for, all roads and bridges,

the county chain gang and the county home; subject, however, to the emergency powers conferred on the Legislative Delegation in Section 11 of this act. *Provided*, however, the superintendent of surface-treated roads shall be in immediate charge and control of all equipment, materials and personnel, used or to be used in the construction or maintenance or repair of surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, and the captain of the chain gang shall be in immediate charge and control of all other persons employed at the Union County Chain Gang, and such persons, with the exception of the superintendent of surface-treated roads, shall be subordinated to the chain gang captain, regardless of their titles or duties, and the captain of the chain gang is hereby empowered to dismiss any such employee or employees, except the superintendent of surface-treated roads. Such suspended or dismissed employee shall have the right to appeal to the County Governing Board and the County Supervisor, who shall jointly hold such hearings as may be deemed necessary to determine the facts and pass on the merits of such dismissal or suspension, and in their discretion may either sustain or reverse such dismissal or suspension; however, to override the action taken by the captain of the chain gang, it shall be necessary for no less than five board members and the County Supervisor to so vote. The superintendent of surface-treated roads shall be subject to suspension or dismissal by unanimous action in writing to be signed by all members of the Union County Legislative Delegation.

SECTION 14. The County Governing Board, by a majority vote of those present at a regular or special meeting thereof, shall have authority and is hereby required to order and direct the supervisor to provide for and cause to be done all proper and necessary repairs and maintenance work on roads and bridges, and may designate the roads or bridges to be repaired or maintained. It shall be the duty of the supervisor to carry out such orders and directors directions of the board as fully and completely as may be possible, and in the absence of any orders or directions from the governing board, whether this be caused by completion of all work ordered by the board, or by failure of the board to direct a schedule of such work or for any other cause, then it shall be the duty of the supervisor to direct and cause to be performed the proper and necessary repairs and maintenance work on roads and bridges. In cases of emergency, aris-

ing from any cause where a county road or bridge has become or is about to become hazardous, dangerous or impassable to traffic, the supervisor shall take immediate action on his own initiative, even if it be necessary temporarily to stop work that has been ordered or directed by the governing board, to meet and overcome such emergency, and he shall cause such work to be done so as to afford traffic reasonable and safe passage over such road or bridge. In order to carry out the orders and directions of the governing board, or to meet emergencies which may arise, the supervisor shall convey instructions and orders for such repair and maintenance work to the captain of the chain gang and should the captain fail or refuse to carry out orders and directions submitted to him by the supervisor, then and in such event the supervisor may suspend or dismiss the captain of the chain gang. *Provided*, further, that any county officer or employee who shall be suspended, removed or discharged as herein provided shall not be paid for any period during such time of suspension and, in case of removal or discharge, shall not receive pay from any after the date thereof.

The powers and authority enumerated and set forth in this section shall not nullify or diminish or be in derogation of the powers and authority heretofore enumerated and set forth in the preceding sections of this appropriations act concerning the superintendent of surface-treated roads.

SECTION 15. The county supervisor and the Union County Governing Board may authorize the clerk or bookkeeper to make purchases not exceeding one hundred dollars in cases of emergency. The clerk or bookkeeper shall give bond in the sum of one thousand dollars, conditioned for the faithful performance of his duties, the premium for such bond to be paid as the premiums for the bonds of other county officers are now paid.

SECTION 16. All purchases for all supplies, equipment, machines, etc., and goods or services for Union County shall be made upon a written order specifically designating whatever is to be purchased or paid for, signed by the county official or employee requesting same, and approved by the signature of the county supervisor or county bookkeeper endorsed on such order. No vouchers or warrants for purchases or payments made in violation of this section shall be approved for payment by the county supervisor or governing board or paid by the county treasurer. The county supervisor or the county

bookkeeper shall have the power of inspection of all purchases and services rendered for Union County at all times. Any county official or employee who makes any purchase or contract for services other than as herein provided shall be subject to immediate removal from office.

Provided, this section shall not apply to those items specifically exempted in Section 1 of this act.

SECTION 17. The Union County Bookkeeper shall maintain a record of all absences and vacations taken by county employees. All county employees shall have an annual noncumulative sick leave of thirty days per year. Employees shall be paid for these thirty days' sick leave, provided sickness is properly substantiated by a doctor's certificate.

SECTION 18. It shall be unlawful to sell or offer for sale any wine or beer in Union County between the hours of 12 o'clock Saturday night and sunrise Monday morning. Any person, firm or corporation violating this section shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not exceeding thirty days. The right of any person to sell wine and beer in Union County at any time, under a license issued by the State, shall be forfeited and the license revoked, upon conviction of violating the provisions of this section.

SECTION 19. Any circus, carnival, or other such admission-charging show or amusement that usually exhibits under a tent or outdoors may exhibit in Union County without payment of any license fee or charge. *Provided*, that such exhibition is made under the auspices or sponsorship of a local eleemosynary association or organization and pursuant to a contract requiring such association or organization to pay the license for such exhibition; and *provided*, further, that such exhibition is first approved by and the time and place set by the Executive Secretary and Treasurer of Union County Fair Association.

SECTION 20. No license shall be issued for the practice of fortune telling or palm reading in Union County.

SECTION 21. The members of the press shall be allowed to attend any meetings where the expenditures of county money, including money allocated to the county from State funds, or from any other sources, is under consideration.

SECTION 22. The salaries and/or supplements to salaries specified in this appropriations act shall be paid every two weeks.

SECTION 23. All appropriations herein made are subject to the right and authority of the Union County Delegation to change, alter, increase, deduct therefrom, or transfer funds from one item and/or account to another at any time, without notice, when in its judgment and discretion such change, alteration, transfer, increase or deduction is necessary to conform with revenue expected during the life of this act for the best interest of the county.

SECTION 24. This act is continuous and of continuous force and continuing into the future until changed by a repealing act of the General Assembly of the State of South Carolina.

SECTION 25. If any section, subsection, paragraph, sentence, phrase, clause, word or provision of this act shall be held unconstitutional or invalid for any reason, the same shall not affect, impair or invalidate any of the remaining sections, subsections, paragraphs, sentences, phrases, clauses, words or provisions of this act.

SECTION 26. The supplemental appropriations for the fiscal year 1963-1964 made from the General Fund of Union County by Delegation Order are hereby validated.

SECTION 27. The Union County Legislative Delegation may appoint a county development board of three members and appoint a county director for industrial development.

The delegation may authorize the expenditure of the necessary funds to carry out the provisions of this section.

The delegation may by unanimous agreement in writing authorize the expenditure of money for industrial promotion and development.

SECTION 28. This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

An Act Authorizing The Treasurer Of Williamsburg County To Expend Monies From The Surplus Fund For Hospital Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Surplus money may be spent for hospital purposes.—The Treasurer of Williamsburg County is authorized to expend from the surplus fund of the county not exceeding thirty-five thousand dollars for the Williamsburg County Memorial Hospital upon written authorization of the legislative delegation.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of March, 1964.

(R1316, H2449)

No. 1368

An Act To Provide For The Levy Of Taxes For Williamsburg County For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965, And To Provide And Direct The Expenditure Thereof; And To Validate Certain Disbursements, Expenditures And Actions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied upon all the taxable property of Williamsburg County a sufficient number of mills to be determined by the auditor from assessment of the property therein which, together with fines, forfeitures, gasoline tax, road tax, collected by various officers, and all income of the county, shall raise the amount herein appropriated. For county and school purposes for Williamsburg County for the fiscal year 1964-1965, there is appropriated the following :

Item 1. Supervisor's Salary	\$ 5,500.00
Supervisor's Travel	1,600.00
Clerk to Supervisor	3,400.00
County Commissioners' Salary, five @ \$1,050.00 each	5,250.00
County Commissioners' Travel, five @ \$600.00 each	3,000.00
Supervisor's Miscellaneous Contingent Fund ..	500.00
Total, Item 1	\$ 19,250.00

Item 2.	Roads and Bridges	\$180,000.00
	Building Repairs—County Camp	5,000.00
	New Machinery	10,000.00
	<i>Provided</i> , no item of equipment costing in excess of \$5,000.00 shall be purchased by the County Commission without the approval of a majority of the Legislative Delegation.	
	Total, Item 2	\$195,000.00
Item 3.	Clerk of Court	\$ 5,500.00
	Two (2) Deputy Clerks	6,800.00
	Janitor Courthouse	1,600.00
	Extra Clerical Help	500.00
	Total, Item 3	\$ 14,400.00
Item 4.	Sheriff's Salary	\$ 5,500.00
	Sheriff's Travel	1,600.00
	Law Enforcement	300.00
	Four (4) Deputy Sheriffs' Salary	15,200.00
	Four (4) Deputy Sheriffs' Travel	6,400.00
	Clerk—Sheriff's Office	3,400.00
	Jail Expense (dieting prisoners at \$0.35 per meal on verified statements)	4,000.00
	Liability Insurance—Sheriff's Cars	482.00
	Radios—Sheriff's Department	750.00
	Out of State Travel	1,000.00
	<i>Provided</i> , out of county travel request must be approved by the County Board of Commissioners.	
	Total, Item 4	\$ 38,632.00
Item 5.	Auditor	\$ 2,002.20
	<i>Provided</i> , that the total salary paid the county auditor shall be \$5,500.00 and the county's portion shall be increased or decreased, as the State's portion is increased or decreased, so as to provide a total of \$5,500.00.	
	Clerk to Auditor	3,400.00
	Total, Item 5	\$ 5,402.20

Item 6. Treasurer	\$ 2,002.20
<i>Provided</i> , that the total salary paid the county treasurer shall be \$5,500.00 and the county's portion shall be increased or decreased, as the State's portion is increased or decreased, so as to provide a total of \$5,500.00.	
Clerk to Treasurer	3,400.00
Total, Item 6	\$ 5,402.20
Item 7. Probate Judge	\$ 5,000.00
Part time clerk	1,250.00
Lunacy Commitments, Doctors' Exams and Travel	2,000.00
Extra Clerical Help	150.00
Total, Item 7	\$ 8,400.00
Item 8. Clerk to Tax Collector	\$ 3,400.00
Total, Item 8	\$ 3,400.00
Item 9. Magistrate at Kingtree	\$ 2,700.00
Magistrate at Hemingway	1,500.00
Magistrate at Greeleyville	1,200.00
Magistrate at Cades	750.00
Magistrate at Central	750.00
Magistrate at Morrisville	750.00
Magistrate at Lanes	750.00
Magistrate at Earles	750.00
Magistrate at Hebron	750.00
Magistrate at Pergamos	750.00
Magistrate at Nesmith	750.00
Magistrate's Constable at Kingtree	2,200.00
Magistrate's Constable at Hemingway	1,100.00
Magistrate's Constable at Greeleyville	800.00
Magistrate's Constables—8 other—Cades, Morrisville, Lanes, Earles, Hebron, Pergamos, Nesmith and Central	3,200.00
Total, Item 9	\$ 18,700.00

Item 10.	County Attorney	\$ 600.00
	Total, Item 10.	\$ 600.00
Item 11.	Coroner's Salary	\$ 1,000.00
	Coroner's Travel	450.00
	Coroner's Clerk	500.00
	Post Mortems, Inquests and Clerical Help	1,000.00
	Total, Item 11	\$ 2,950.00
Item 12.	Miscellaneous Contingent Fund	\$ 5,000.00
	<i>Provided</i> , the above amount shall be expended upon approval of a majority of the members of the Legislative Delegation.	
	Total, Item 12	\$ 5,000.00
Item 13.	Workmen's Compensation	\$ 3,000.00
	Police Officers' Retirement System	2,500.00
	County Portion—Social Security	7,300.00
	County Portion—Retirement	7,500.00
	County Portion—Hospitalization Insurance ...	2,400.00
	Liability Insurance	2,400.00
	Total, Item 13	\$ 25,100.00
Item 14.	Bonds—County Officials	\$ 800.00
	Total, Item 14	\$ 800.00
Item 15.	Jurors and Witnesses	\$ 6,000.00
	Total, Item 15	\$ 6,000.00
Item 16.	Public Buildings	\$ 23,300.00
	Repairs to Public Buildings	6,000.00
	Total, Item 16	\$ 29,300.00
Item 17.	Printing, Books, Postage, etc.	\$ 7,000.00
	Total, Item 17	\$ 7,000.00
Item 18.	Vital Statistics	\$ 800.00
	Total, Item 18	\$ 800.00

Item 19.	Department of Public Welfare Janitor Service..	\$ 400.00
	Miscellaneous—Administrative	100.00
	Miscellaneous—Contingent Expense	2,760.00
	Emergency Fund	300.00
	Total, Item 19	\$ 3,560.00
Item 20.	Part time clerk for Service Officer	\$ 1,200.00
	Total, Item 20	\$ 1,200.00
Item 21.	Reassessment Program	\$ 25,000.00
	<i>Provided</i> , that from this sum the Board of Tax Appeals, Board of Tax Assessors and Board of Equalization shall be paid per diem as provided by law.	
	<i>Provided</i> , further, all expenditures from this fund, excluding per diem, shall be made upon the approval of a majority of the Legislative Delegation.	
	Total, Item 21	\$ 25,000.00
Item 22.	County Health Unit	\$ 10,650.00
	Charity Hospitalization	8,000.00
	<i>Provided</i> , that the sum appropriated for the hospitalization of indigent persons shall be expended only upon approved certificates by the Board of Public Welfare of Williamsburg County, and shall be expended on per diem basis to be fixed by the board, not to exceed \$8.00 per day per patient; such basis shall include the cost of room, board, medicine and anesthetics, etc., and there shall not be expended on any one case a greater sum than one hundred dollars.	
	<i>Provided</i> , further, that the board may in extreme cases approve further expenditures but the county shall not be liable for additional sums unless authorization by the board is first secured. The appropriation made shall be for the fiscal year 1964-1965.	
	Total, Item 22	\$ 18,650.00

Item 23.	County Agent	\$ 600.00
	Assistant County Agent	400.00
	Stenographic Service for County Agent	676.00
	Boys' 4-H Club Work	150.00
	Assistant County Agents Supplement	240.00
	Telephone—County Agent	100.00
	Total, Item 23	\$ 2,166.00
Item 24.	County Home Demonstration Agent	\$ 240.00
	Stenographic Service—Home Demonstration Agent	280.00
	Office Supplies and Equipment	150.00
	Girls' and Women's 4-H Club Work	200.00
	Total, Item 24	\$ 870.00
Item 25.	Negro Home Demonstration Agent Salary and Travel	\$ 900.00
	Negro Girls' 4-H Club Work	150.00
	Office Rent—Negro Agent	480.00
	Negro Agri. Agent—Salary	350.00
	Negro Boys' 4-H Club Work	150.00
	Office Supplies, Fuel and Lights	150.00
	Clerical Assistance	450.00
	Materials—Home Demonstration Agent	100.00
	Total, Item 25	\$ 2,730.00
Item 26.	Kingstree National Guard	\$ 750.00
	Hemingway National Guard	750.00
	Junior Homemakers	100.00
	Carnegie Library	800.00
	Civil Defense	2,100.00
	Lane Airport	1,200.00
	V. F. W.-McClary-Cole Post No. 6500	5,000.00
	Technical Education	3,000.00
	<i>Provided, the applicants shall be first approved by the Superintendent of Education and no applicant shall receive more than one hundred fifty dollars.</i>	
	Total, Item 26	\$ 13,700.00

Item 27. Industrial Development—to be expended on order of a majority of the county legislative delegation	10,000.00
Total, Item 27	\$ 10,000.00
GRAND TOTAL	\$464,012.40
LESS ESTIMATED REVENUE AS FOLLOWS:	
Estimated Revenues	\$296,000.00
AMOUNT TO BE RAISED BY TAXATION	\$168,012.40

SECTION 2. The supervisor and county commissioners are hereby prohibited from issuing any pay checks to any of the magistrates of Williamsburg County until such magistrates have filed with them statements of the names of persons for whom such warrants have been issued during the previous quarter and the disposition of each case, and a receipt from the county treasurer for fines and costs collected by the magistrates during the previous quarter.

SECTION 3. The county attorney shall give legal advice to all county officers, including the Grand Jury, on any subject affecting the county and, should he fail to give such advice, the amount appropriated for his services shall not be paid to him by the county treasurer.

SECTION 4. All revenues accruing to the county not otherwise appropriated shall be deposited or invested by the treasurer as a sinking fund for the payment of principal and interest of the county bonded indebtedness and such investments or deposits shall be guaranteed by bond of indemnity or other adequate security to be passed on by the board of county commissioners.

SECTION 5. The appropriations made in this act shall be for the specific purposes designated herein, and for no other except upon the written consent of a majority of the members of the Williamsburg County Delegation in the General Assembly. No overdrafts shall be made or created in any of the items set forth in this act, and in the event any such overdrafts are created the County of Williamsburg shall not be responsible for such overdrafts and the same shall be void insofar as the county is concerned.

SECTION 6. The salaries paid to the county officers as hereinabove fixed shall be in lieu of all fees, commissions, etc.

SECTION 7. All county officers, before making purchases of books or stationery and all other supplies, shall so notify the county board of commissioners in writing and receive the commissioners' approval. Copies of such requests and their approval shall be kept on file in the respective offices. All supplies of every kind, nature and description whatsoever shall be made only upon competitive bids except purchases at one time which shall cost not more than one hundred dollars. *Provided*, that the county board of commissioners shall not approve payment of any voucher for the purchase of any article of any kind by any agency or department unless such purchase has first been authorized by authority of the county board of commissioners.

SECTION 8. The road machinery, plows, equipment, etc., to be purchased by the County of Williamsburg, from funds herein appropriated, shall be bought upon competitive sealed bids after two weeks' advertisement for such bids in some newspaper best circulated to give notice to the trade, or by letters to competitive bidders, which also shall designate the time and place at which the bids will be opened, and the bids shall be publicly opened at the time and place designated in such advertisement.

SECTION 9. The disbursements, expenditures and actions authorized by the Williamsburg County Legislative Delegation during the fiscal year 1963-1964, in connection with the operation of the county departments and agencies thereof, are hereby validated and declared to be legal and binding acts of the officials of the county who acted in pursuance thereof.

SECTION 10. No officials of the county shall obligate the county for the repayment of any loan without the approval of the legislative delegation.

SECTION 11. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1373, S882)

No. 1369

An Act To Amend Act No. 1255 Of The Acts Of 1962, Relating To The Williamsburg County Memorial Hospital Board, So As To Extend The Terms Of Office Of The Members; To Provide For Holding The Annual Meeting; And To Provide For The Fiscal Year.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 1255 of 1962 amended—Williamsburg County Memorial Hospital Board created.—Section 1 of Act No. 1255 of the Acts of 1962 is amended to read as follows:

"Section 1. There is hereby created the Williamsburg County Memorial Hospital Board to provide hospital facilities for the inhabitants of the county. The board shall be composed of seven members who shall be appointed by the Governor on the recommendation of the Legislative Delegation from Williamsburg County. The terms of the present members are hereby extended to the first day of October in the years their respective terms expire. Thereafter, all terms shall be for four years. Vacancies shall be filled for unexpired terms as are the original appointments. The chairman and secretary shall serve for terms of two years."

SECTION 2. Section 4 of Act 1255 of 1962 amended—meetings—officers—report—audit—surplus funds.—Section 4 of Act No. 1255 of the Acts of 1962 is amended to read as follows:

"Section 4. The board shall hold annual meetings in December of each year, at which time they shall elect, every other year, a chairman and secretary. At the annual meeting a report of the activities of the hospital, showing its resources and expenditures and complete financial status shall be made. The report shall be filed in the office of the Clerk of Court for Williamsburg County and copies shall be furnished to the members of the Legislative Delegation from Williamsburg County. In addition to the annual meeting of the board in December, the board shall meet from time to time on the call of the chairman or a majority of the board members. The accounts of the hospital through September thirtieth of each year shall be audited annually, prior to the December meeting of the board, by a certified public accountant who shall make his report to the board and copies thereof filed with the clerk of court, the governing board of the county and the legislative delegation. Any surplus funds from the

operation of the hospital at the end of any year shall be retained by the board to be used in connection with the hospital."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R1374, S883)

No. 1370

An Act To Authorize The Board Of Commissioners Of Williamsburg County To Convey Certain County Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Williamsburg County may convey certain property.—The Board of Commissioners of Williamsburg County is hereby authorized to convey, upon receipt of valuable consideration, the county's interest and title in and to the following described real property:

All that certain lot of land situate in the Town of Kingstree, County of Williamsburg, State of South Carolina, and bounded and described as follows: On the North by lot of Williamsburg County measuring thereon a distance of 60 feet; on the East by lot of Williamsburg County, measuring thereon a distance of 60 feet; on the South by Nelson Street of the Town of Kingstree, measuring thereon 60 feet; and on the West by Jackson Street of the Town of Kingstree, measuring thereon a distance of 60 feet.

It is the intention of this deed to convey to the grantees a lot measuring 60 feet square located on the Southwest corner of that certain lot of land conveyed to Williamsburg County by Marie F. Allsbrook by Deed dated March 11, 1955 and recorded in the Office of the Clerk of Court for Williamsburg County in Deed Book A-55 at page 300.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of May, 1964.

(R757, H2081)

No. 1371

An Act To Validate The Conveyance Of Land From York County To The State Of South Carolina For National Guard Armory Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Conveyance of land by York County validated.—The conveyance of land from York County to the State of South Carolina for National Guard Armory purposes dated November 15, 1963, and recorded in the office of the Clerk of Court for York County in Deed Book 318, at page 417, is hereby validated.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1964.

(R789, H2188)

No. 1372

An Act To Extend The Open Season For The Hunting Of Quail And Rabbit In York, Fairfield, Lancaster And Chester Counties For The Year 1964 Only.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Quail and rabbit season in certain counties.—Notwithstanding any other provision of law to the contrary, the open season for the hunting of quail and rabbit in York, Fairfield, Lancaster and Chester Counties shall be to and including March first for the year 1964 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1964.

(R859, S670)

No. 1373

An Act To Empower The York County Natural Gas Authority To Refund Its Outstanding Bonds, To Fund Its Other Indebted-

ness, To Raise Other Moneys Required For Improvements To Its Natural Gas System, To Prescribe The Terms And Conditions Under Which Such Obligations Of The Authority May Be Issued, And To Make Provision For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that :

(1) It did, by Act No. 959 of 1954, as afterwards amended by Act No. 694 of 1957, create the York County Natural Gas Authority (hereinafter referred to as the Authority) and did empower it to construct and operate natural gas distribution systems within the service area therein prescribed for it, together with such transmission lines as might prove necessary therefor, and in order to provide a means with which it might obtain funds for the construction, maintenance and improvement of its system, did empower it to issue bonds payable from the revenues of its system to such extent as might prove necessary.

(2) In order that a convenient procedure for borrowing money might exist, there was vested in the Authority all of the powers set forth in the statute now codified as Sections 59-361 to 59-415, inclusive, and Sections 59-651 to 59-682, inclusive, of the 1962 Code.

(3) Afterwards, the Authority, exercising powers made available to it, issued four issues of bonds, all of which are now in default. The Authority has been diligently seeking to remedy the default and its affairs have improved to the point where it feels that it is feasible to effect a refunding of its outstanding bonds under a plan which will provide for the issuance of additional bonds to pay for improvements and extensions to its system now believed necessary.

(4) On the basis of present studies it appears that the most economical method of raising additional moneys will be through the issuance of additional bonds at a small discount. In addition, it may prove necessary that the Authority employ investment bankers to arrange exchanges of the Authority's outstanding bonds for its proposed refunding bonds.

(5) In order to effect the plan the Authority must use as the statutory vehicle Sections 59-651 to 59-682, inclusive, of the 1962 Code. Questions have arisen as to whether the provision of Section 59-667 which requires that bonds issued pursuant to the statute be sold at not less than par would prevent the consummation of the Authority's plan. Questions may also arise as to whether the pro-

ceeds of refunding bonds, which shall be sold to raise moneys for improvements, may be used to pay costs incurred in effecting exchanges and whether other bonds or certificates of indebtedness may be issued, junior in lien, to fund past due interest.

(6) It has decided to empower the Authority to take such steps as may be necessary to consummate the issuance of the proposed refunding and improvement bonds of the Authority, and to that end has determined to authorize any plan by which the Authority will issue refunding and improvement bonds to such extent as shall be necessary to provide bonds to be exchanged for its now outstanding bonds, and to provide for a sale of a portion of such bonds to meet the cost of improvements and extensions to the system, and the cost of implementing the plan of exchange, and that such plan may be effected notwithstanding it requires the employment of investment bankers, or other individuals, to assist the Authority in securing the exchange and that it may involve the sale of the bonds, issued pursuant to the aforesaid statute, at a price of less than par, and that a portion of the proceeds from the sale of bonds may be used for expenses incidental to the plan.

SECTION 2. Authority may issue and exchange bonds.—The Authority is hereby authorized to issue, pursuant to Sections 59-651 to 59-682, inclusive, of the 1962 Code, such amount of bonds as it may from time to time hereafter deem necessary in order to exchange such bonds for those of the Authority now outstanding, and in order to provide funds for improvements and extensions to the system of the Authority. The bonds may be disposed of by the Authority on such terms as the Authority shall approve and at a discount, if the Authority shall find such a method to be to its advantage. The Authority is expressly empowered to employ such persons or firms of investment bankers as it may deem desirable in effecting the exchange of its outstanding bonds, and to use the proceeds of any bonds that might be sold to pay for the services of such individuals or investment bankers. The Authority is further authorized to issue funding bonds or certificates of indebtedness to such extent as it may deem necessary to fund all arrears of interest. Such funding bonds or certificates of indebtedness shall have such claim to the revenues of the system as the Authority shall provide.

SECTION 3. Payment.—All bonds of the Authority now outstanding and the bonds and certificates of indebtedness of the Authority

to be hereafter issued pursuant to the authorization of this and other acts relating to the Authority are hereby declared to be valid and binding obligations of the Authority according to their respective tenor and effect. Such bonds and certificates of indebtedness shall be payable solely from the revenues derived from the system of the Authority and shall have such claim thereto as shall be prescribed in the proceedings of the Authority providing for their issuance.

SECTION 4. Powers of authority.—This act shall be deemed to amend and enlarge the powers of the Authority as herein provided.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of March, 1964.

(R975, H2468)

No. 1374

An Act To Validate The Conveyance Of Land From The Town Of York To York County For A County Health Center.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Conveyance of land validated.—The conveyance of land from the Town of York to York County for a County Health Center, dated the 4th day of April, 1963, and recorded in the Office of the Clerk of Court for York County in Deed Book 310, page 268, is hereby validated.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R976, H2469)

No. 1375

An Act To Validate The Conveyance Of Land From The Town Of York To York Township Library Board For Library Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Conveyance of land validated.—The conveyance of land from the Town of York to the York Township Library Board

for library purposes, dated the 4th day of April, 1963, and recorded in the Office of the Clerk of Court for York County in Deed Book 310, Page 271, is hereby validated.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1964.

(R1080, H2613)

No. 1376

An Act Making Supplemental Appropriations For York County For The Fiscal Year 1963-1964.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following supplemental appropriations are hereby made from the General Fund of York County for the purposes shown for the fiscal year 1963-1964:

Maintenance, Courthouse, Agriculture Building, Office Building	\$ 10,000.00
Dieting Magistrates' Prisoners	1,000.00
Dieting Prisoners in Jail	1,000.00
Maintenance and Supplies—Jail	700.00
Jurors and Witnesses	7,000.00
Probate Judge, Supplies	300.00
County Postage and Metering Machine	1,000.00
Contingent Fund	13,160.00
Supervisor's Office, Grading, Maintenance, etc.	12,000.00
Social Security and Retirement	5,900.00
Tax Collector, Supplies	300.00
Board of Health	2,000.00
Total	\$ 54,360.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1964.

(R1195, H2633)

No. 1377**An Act To Fill Vacancies Existing On The York Township Library Board.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Members of York Township Library Board designated.—Notwithstanding the provisions of Section 42-671 of the 1962 Code, the following persons are appointed as members of the York Township Library Board to fill existing vacancies on the board: Miss Sue Meek Allison, Julian Dickerson, Mrs. Helen L. Ervin, Jos. E. Hart, Jr., H. S. Howie, Jr., Mrs. Mary Robinson Lowry, Dan C. Riddle, Mrs. Caroline R. Turner, Rufus M. Wallace.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of April, 1964.

(R1257, S876)

No. 1378**An Act To Provide That The York County Building Commission Shall Transfer Certain Funds To The Sinking Fund Commission Of York County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Transfer of funds by York County Building Commission.—If the York County Building Commission has on hand any funds which were appropriated for the construction of a county health center in the Town of York, such funds shall be transferred to the Sinking Fund Commission of York County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1262, S854)

No. 1379

An Act Transferring Thirty Thousand Dollars From The York County Sinking Fund To The York County Children's Nature Museum For Construction Purposes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Transfer of funds by York County.—The Treasurer of York County is directed to transfer thirty thousand dollars from the York County Sinking Fund to the York County Children's Nature Museum to be used for the construction of a new museum building.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1331, H2694)

No. 1380

An Act To Provide For The Levy Of Taxes For York County For The Fiscal Year Beginning July 1, 1964, And Ending June 30, 1965, For School, County And Other Purposes; To Direct The Expenditure Thereof; To Prescribe The Powers, Duties And Authorities Of Various Officials Of The County; To Authorize And Direct The County Treasurer To Transfer Certain Funds; And To Authorize The York County Board Of Directors To Borrow And The York County Sinking Fund Commission To Lend Certain Money And To Provide For The Repayment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. For the fiscal year beginning July 1, 1964, the following sums of money, if so much be necessary, are hereby appropriated from the General Fund in the Treasury of York County to meet the ordinary expenses of the county as hereinafter indicated:

Item 1. Supervisor and County Board of Directors:

Salaries:

Supervisor	\$ 6,000.00
Clerk	3,950.00
Assistant Clerk	3,750.00

Five directors, one hundred dollars each per month	6,000.00
Service and supplies	1,400.00
Directors' travel expense, not to exceed \$25.00 per month each	1,500.00
Total, Item 1	\$ 22,600.00

Item 2. County Prison Farms:

Salaries:

Superintendent	\$ 4,350.00
Six guards at \$237.50 per month each	17,100.00

Provided, that board and lodging shall be furnished in addition to salaries above.

Maintenance of Prison Camp	40,000.00
Maintenance of County Roads	95,000.00

Provided, that not more than one-half of the above two appropriations shall be obligated or spent prior to January 1, 1965.

Nine patrol operators at \$297.50 per month each	32,130.00
Supervisor—travel for actual mileage driven on county business at 9¢ per mile, if so much be necessary	2,000.00

Provided, all county equipment shall be kept at the prison camp at night, on Sundays and holidays, and at all other times when not in actual use on county work except when in the opinion of the Supervisor it is more feasible to leave same at job sites.

Provided, further, that it shall be unlawful for any person not an inmate or any person not employed directly at the prison camp to eat any meals at or carry away any food from the York County Prison Camp, and it shall be the duty of the superintendent of the chain gang to enforce this provision. Any violation of this provision shall be deemed a misdemeanor and punishable by a fine not exceeding one hundred dollars, or imprisonment for not exceeding thirty days.

Total, Item 2	\$190,580.00
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Item 3. Sheriff's Office:

Salaries:

Sheriff	\$ 6,000.00
Deputy Sheriff	4,530.00
Clerk	3,300.00
Expense, outside county	1,000.00
Gas, oil, upkeep auto and radio	1,500.00
Office supplies, phone, box rent	600.00
Telephone expense for highway patrolmen stationed in York County	400.00
Salaries, expenses and equipment for County police operation	122,970.00
Police officers' retirement system	8,000.00
Radio and jail services—Town of Clover	1,500.00
Radio and jail services—Town of Ft. Mill	1,500.00

Provided, the Sheriff of York County is authorized and empowered to appoint and employ sixteen county policemen to serve under his direction and supervision, and each of the county policemen shall be paid a monthly salary as follows: new employee, first six months, \$302.50; new employee, after six months, \$327.50; new employee after one year, \$352.50. In addition thereto the sheriff shall appoint and employ a captain of the York County Police, who shall be second in command of the county police, and who shall be paid a monthly salary of \$447.50. The captain shall have supervision and control of the county police and all personnel of the York County Police Department in the event of the absence or inability of the sheriff to act for any reason. *Provided*, further, the Sheriff of York County shall appoint and employ one clerk to assist in the administrative and clerical work connected with the department and perform such other duties as may be assigned to him. *Provided*, further, that the sheriff shall be allowed to give credit for experience in other law enforcement in computing time in grade.

Provided, further, that the sheriff may pay to each deputy sheriff the sum of \$25.00 per month as expenses.

Provided, further, the Sheriff of York County shall employ an additional officer to serve primarily as liaison officer between the Sheriff's office and the Criminal, Juvenile and Domestic Relations Court of York County; *provided*, further, the Sheriff of York County may designate and appoint two officers of his present staff as Sergeants with additional compensation of each at \$10.00 per month to serve as plain-clothes men with his office.

Total, Item 3		\$151,300.00
Item 4. County Jail:		
Salary, Jailor	\$	3,300.00
Dieting prisoners at one dollar per day		6,000.00
Maintenance and supplies		2,500.00
Repairs		700.00
Total, Item 4		\$ 12,500.00
Item 5. Maintenance of Courthouse, Agriculture Building and Rock Hill Office Building		
		\$ 30,000.00
<i>Provided</i> , no janitor or janitor's assistant shall be paid more than forty dollars per week.		
<i>Provided</i> , further, that prison labor shall be used where feasible during the daylight hours, except Sundays.		
<i>Provided</i> , further, there may be one superintendent of the Rock Hill Office Building and at York there may be one superintendent of the Agriculture Building and York County Courthouse, at salaries not exceeding \$3,300.00 each, and one helper for each building.		
<i>Provided</i> , further, that the expenditures herein shall be under the supervision of the supervisor and the board of directors, or a majority thereof.		
Total, Item 5		\$ 30,000.00

Item 6. Clerk of Court's Office:

Salaries:

Clerk of Court	\$ 6,800.00
First Deputy Clerk	3,950.00
Second Deputy Clerk and photo machine operator	3,900.00
Clerk	3,300.00
Clerk	3,300.00
Clerk	3,300.00
Clerk	3,300.00
Service and Supplies	16,000.00
Jurors, witnesses and bailiffs, and court crier ..	25,000.00

Provided, jurors shall receive eight dollars per day and mileage allowed by law; witnesses, two dollars per day and mileage; and bailiffs, eight dollars per day; and that no federal, State or municipal official or employee shall receive any compensation from the county for appearing as a witness in any court in York County.

Provided, further, that jurors reporting on opening day of General Sessions Court for the purpose of seeking relief from jury duty shall receive no mileage or per diem. *Provided*, further, the clerk of court shall not receive any additional pay for services as Clerk of the Criminal, Juvenile and Domestic Relations Court of York County.

Provided, further, that the Clerk of Court shall designate one of his deputy clerks as "Register of Deeds" and it shall be the duty of this deputy clerk to record all deeds, mortgages, chattel mortgages, contracts of purchase and sale, leases and similar instruments (exclusive of papers filed or to be recorded in civil actions) only after the fees for recording same have been paid including any necessary State and Federal Revenue Stamps.

Total, Item 6 \$ 68,850.00

Item 7. Auditor's Office:

Salaries:

Auditor	\$ 2,600.00
First Deputy Auditor	3,950.00
Clerk	3,300.00
Services and Supplies	1,200.00
Equalization Board	2,000.00

Mapping Section:

Salaries:

Mapping Director	4,380.00
Clerk	3,300.00
Supplies and Mileage	1,000.00

Provided, the clerk employed in the Mapping Section shall work between the office of the Auditor and the office of the Mapping Director at the direction of the Auditor.

Total, Item 7\$ 21,730.00

Item 8. Treasurer's Office:

Salaries:

Treasurer	\$ 2,600.00
Deputy Treasurer	3,950.00
Assistant Deputy Treasurer	3,950.00
Clerk	3,300.00
Revolving Fund	50.00
Services and Supplies	1,350.00

Provided, that all fees collected by the Treasurer by virtue of his office shall be turned in to the general fund of the county.

Total, Item 8\$ 15,200.00

Item 9. Judge of Probate's Office:

Salaries:

Judge of Probate	\$ 6,000.00
Clerk	3,950.00
Clerk	3,750.00
Office supplies, premium on bond, stamps, box rent and telephone	2,000.00

Total, Item 9\$ 15,700.00

Item 10. Tax Collector's Office:

Salaries:

Tax Collector	\$ 3,080.00
Deputy Tax Collector	3,080.00
Clerk	3,750.00
Bond for Tax Collector, Deputy and Clerk	270.00
Stationery, services, supplies, box rent and postage	600.00

Total, Item 10\$ 10,780.00

Item 11. County Veterans' Service Office:

Service Officer	\$ 4,500.00
Clerk	3,300.00
Clerk	3,300.00
Expenses, Service Officer	2,750.00

Total, Item 11\$ 13,850.00

Item 12. Coroner's Office:

Salary, Coroner	\$ 1,600.00
Expenses of inquests, office supplies and services	600.00

Total, Item 12\$ 2,200.00

Item 13. Department of Public Welfare:

Emergency relief—including care of homeless children	\$ 4,600.00
Telephones	800.00
Assistant Clerk for purpose of investigating applicants for free school lunch	1,000.00
Supplement to County Board Members and Director	1,680.00
Mileage at nine cents per mile for two child welfare workers	700.00
Supplement for Case Work Supervisors	696.00
Supplement for nineteen Case Workers at \$150-.00 per year	2,850.00

Total, Item 13\$ 12,326.00

Item 14. Hospitalization:

For charity patients, Divine Savior Hospital ..	\$ 4,000.00
<i>Provided</i> , that all of this fund shall be used for charity cases in York County and that an item- ized statement of the cost of each case shall be sent quarterly to the Board of County Directors.	
Post mortems, inquests, lunacies and dental work	1,000.00
County physician or physicians to be employed by the Supervisor and County Directors	1,000.00
Total, Item 14	\$ 6,000.00

Item 15. National Guard:

Rock Hill Company	\$ 400.00
York Company	400.00
Fort Mill Company	400.00
Clover Company	400.00
Bn. Headquarters, Rock Hill	600.00
Total, Item 15	\$ 2,200.00

Item 16. Magistrates and Constables:

Magistrate, Bethel-Kings Mountain Townships	\$ 2,200.00
Telephone, Magistrate, Bethel-Kings Mountain Townships	125.00
Magistrate, Bullock Creek-Broad River Town- ships	1,400.00
Office rent, Bullock Creek-Broad River Town- ships	120.00
Telephone, Magistrate, Bullock Creek-Broad River Townships	80.00
Magistrate, York-Bethesda Townships	2,200.00
Telephone, Magistrate, York-Bethesda Town- ships	125.00
Office rent, York-Bethesda Townships	180.00
Magistrate, Catawba-Ebenezer Townships	3,100.00
Constable, Catawba-Ebenezer Townships	3,000.00
Clerk, Catawba-Ebenezer Townships	3,300.00
Telephone, office expenses, Magistrate, Catawba- Ebenezer Townships	1,100.00
Magistrate, Fort Mill Township	2,200.00

Constable, Fort Mill Township	1,420.00
Telephone, Magistrate, Fort Mill Township ...	125.00
Maintenance and janitor service, Magistrate's office—Fort Mill	300.00
Maintenance and janitor service, Magistrate's office—Clover	300.00

Provided, salaries above shall be paid in twelve equal monthly installments.

Provided, further, that the magistrates' reports required by law shall be made under oath.

Dieting prisoners in custody of magistrates other than in county jail, not to exceed fifty cents per meal for each person or a total of \$1.50 per day

for meals served	1,000.00
Bond for magistrates and constables	125.00

Total, Item 16\$ 22,400.00

Item 17. Farm and Youth Work:

Demonstration material for Home Demonstra- tion Agent and assistant	\$ 100.00
Boys' and Girls' 4-H Work	200.00
York County Artificial Breeding Association ..	3,000.00
County Farm Agent	330.00
Telephone, Home Agent	150.00
Negro Home Demonstration Agent	790.00
Clerical help, Negro Farm and Home Agent ..	1,900.00
Demonstration material, Negro Home Demon- stration Agent	50.00
Negro 4-H Work	100.00
Telephone	100.00

Provided, that the sum appropriated for York County Artificial Breeding Association shall not be further supplemented by county funds.

Total, Item 17\$ 6,720.00

Item 18. General County Expenses:

Annual county audit	\$ 3,500.00
County Attorney	3,000.00
County Attorney, expense	200.00
Secretary to Delegation at \$40.00 per month ..	480.00

Insurance for county employees at \$4.80 per year	480.00
Postage and metering machine and photostat machine	3,000.00
Rescue Squad—Clover	150.00
Rescue Squad—Fort Mill	150.00
Rescue Squad—Rock Hill	150.00
Rescue Squad—York	150.00
York County Civil Defense	5,000.00
Solicitor, Criminal, Juvenile and Domestic Relations Court	3,000.00
Mental Health Clinic	10,323.08
Total, Item 18	\$ 29,583.08
Item 19. For care of indigent York County residents who are residing in nursing homes	\$ 3,000.00
Total, Item 19	\$ 3,000.00
Item 20. Retirement Fund and Social Security for county employees	\$ 27,000.00
York County Teacher Retirement Fund	1,141.56
Total, Item 20	\$ 28,141.56
Item 21. Board of Health	\$ 28,165.00
Total, Item 21	\$ 28,165.00
Item 22. Probation Officer:	
Secretarial help	\$ 1,890.00
Secretarial help, Rock Hill office	180.00
Telephone	150.00
Office Supplies	50.00
Total, Item 22	\$ 2,270.00
Item 23. Criminal, Juvenile and Domestic Relations Court of York County:	
Salaries:	
Judge	\$ 10,000.00
Chief Probation Counselor	4,980.00
Probation Counselor, male	4,680.00
Probation Counselor, female	4,180.00

Secretary and Court Recorder	3,680.00
Clerk	3,300.00
Mileage, supplies and expenses	6,000.00

Provided, the Judge of this court may authorize use of a part of any specific salary to pay a part time worker when the position is not filled with a full time employee.

Total, Item 23\$ 36,820.00

Item 24. York County Technical Education Center\$ 23,550.00

Total, Item 24\$ 23,550.00

Item 25. Contingent Fund\$ 25,000.00

Provided, the money above appropriated shall be used only for such purposes as authorized by a majority of the legislative delegation at a regularly called meeting.

Provided, further, that the authorization shall be numbered consecutively and kept on file in the office of the supervisor, or such offices as a majority of the legislative delegation may direct, and the orders or authorizations shall require ratification at the next ensuing session of the General Assembly.

Total, Item 25\$ 25,000.00

GRAND TOTAL\$781,465.64

Provided, the amount herein provided for salary of the sheriff, treasurer and clerk of court shall be in lieu of all fees, and the amounts herein provided shall be the salaries of such officers for all their services for the fiscal year beginning July 1, 1964.

For the purpose of meeting the appropriations herein made, the following receipts of York County are hereby allocated for such purposes, together with all other income not specifically allocated to other purposes. It is estimated that the following special revenue will accrue to the county during the fiscal year 1964-1965:

Insurance Commission Fees	\$ 67,000.00
Fines, Fees and Licenses	170,000.00
Beer and Wine Tax	23,000.00
Whiskey Tax	80,000.00
Bank Tax	12,000.00
Service Officer	6,099.00
Income Tax	96,000.00
Delinquent Taxes	75,366.64
Total	<hr/> \$529,465.64 <hr/>

Estimated amount to be otherwise provided . . . \$252,000.00

To further meet the appropriations contained herein the auditor is authorized and directed to levy a tax of nine mills upon the property of York County, and the treasurer is directed to collect the same, and to credit the proceeds to the several purposes for which appropriations are herein made. *Provided*, the levy for school textbooks in York County for the fiscal year 1964-1965 shall be two mills.

SECTION 2. The purchase of gasoline, oil and food for the use of the prison farm shall be made in wholesale quantities.

SECTION 3. In the Township of York, a special levy of one-half mill is hereby made, the proceeds therefrom to be paid by the Treasurer of York County to the York Public Library, and the Auditor of York County is hereby directed to levy, and the Treasurer of York County is directed to collect, such tax.

SECTION 4. The appropriations herein provided shall not in any case be exceeded, and any contracts which may be made which in any manner provide for the expenditure of funds in excess of those provided herein shall not be binding upon York County, and it is specifically provided that any person selling supplies or other commodities or rendering service to the county is charged with the duty of ascertaining in advance whether or not the appropriations for that purpose are sufficient to pay the same; *provided*, that no revenue to be derived from any levy or appropriation made herein shall be expended or pledged prior to the beginning of the fiscal year 1964-1965. Any official violating the provisions of this section shall be liable under his bond.

SECTION 5. No money appropriated for any specific purpose under the provisions of this act shall be used for any other purpose than

that named, without the written consent of a majority of the York County Legislative Delegation, obtained at a regularly called meeting.

SECTION 6. Any amount appropriated in this act may be discontinued at any time by order of a majority of the York County Legislative Delegation obtained at a regularly called meeting.

SECTION 7. In lieu of all countywide taxes now levied for school purposes, except those taxes levied for free textbooks and hot lunches, the auditor shall levy a tax of twenty mills to be used for the following purposes and distributed in the following manner: the proceeds from ten mills shall be distributed to all school districts in proportion to the ratio which each school district State aid for school teachers' salaries bears to the total school teachers' State aid for salaries in the county; the proceeds from ten mills shall be distributed to each high school or high school district in proportion to the ratio each high school or high school district's enrollment bears to the high school enrollment in the county.

Provided, however, that enrollment in parochial schools or State-owned and operated schools shall not be counted and shall not be allowed the use of any of the proceeds of the tax imposed in this section.

Provided, further, that no school district shall impose a levy of more than ten mills on the property within the district, except to provide for the payment of interest on and retirement of bonded indebtedness, except upon the written approval of a majority of the York County Legislative Delegation obtained at a regularly called meeting.

Provided, further, that the appropriations contained in this section shall be paid from the countywide tax for ordinary school purposes:

Salary—Clerk (Part time)	\$ 500.00
Salary—Librarian for School Textbooks	3,580.00
Travel for Attendance Supervisor—actual mileage driven on county business @ 9¢ per mile, if so much be necessary	700.00
Telephone, postals, box rent and office supplies	600.00
Handling School Lunch commodities—to be hauled on contract basis	5,000.00
Expenses—County Board of Education	720.00
York County Rural Library	4,930.42
Supplement—Administrative Secretary—County Board of Education	433.00

Supplement to State Funds—School Lunch Program	2,770.00
Travel—Administrative Secretary—County Board of Education, actual mileage on county business @ 9¢ per mile, if so much be necessary	400.00
Total	\$ 19,633.42
The appropriations above made shall be in lieu of all shares in delinquent taxes collected.	

SECTION 8. The county supervisor and the county board of directors, or a majority thereof, are hereby empowered to borrow in anticipation of the revenue hereinabove provided any sum not exceeding the amount appropriated and to not only pledge the revenue hereinabove provided but to pledge the full faith and credit of York County for the repayment of the same. The money shall be borrowed from the York County Sinking Fund Commission at a rate of interest not exceeding three per cent and shall be payable at such time and in such sums as is convenient to the county board of directors and the sinking fund commission, and the sinking fund commission is hereby directed to make such loans. *Provided*, that the supervisor and the county board of directors first obtain the written approval of such loan by a majority of the county legislative delegation at a regularly called meeting of the delegation.

SECTION 9. All county offices in York County Courthouse shall observe as holidays: Christmas Day; the working day immediately preceding Christmas Day and the working day immediately following Christmas Day; New Year's Day; Labor Day; Thanksgiving Day; and July Fourth.

SECTION 10. All orders heretofore made by the legislative delegation, reported to and certified by the clerk of the board of directors, arranged chronologically by date and numbered consecutively in such manner as to fully indicate to the delegation what orders were issued and authorized previously by the delegation, are hereby ratified and confirmed, and the appropriations therein contained are approved.

SECTION 11. The York County Board of Directors and the supervisor, or a majority thereof, may in their discretion approve salaries and deductions pertaining thereto, as provided by law, of county employees by a list or lists rather than separately.

SECTION 12. No tax abatement shall apply to levies necessary to pay debt service of county bonds.

SECTION 13. Any employee or officeholder violating any provision in this appropriations act shall forfeit his or her position of employment or the office they hold.

SECTION 14. The York County Attorney shall represent all agencies, boards, officials and subdivisions in York County, except municipalities, school districts and the York County Natural Gas Authority; *provided*, all such subdivisions, agencies or county officials are hereby specifically prohibited from expending any funds for the employment of any other attorney or attorneys.

SECTION 15. An audit shall be made annually, with a copy to be furnished to each member of the York County Legislative Delegation, and a copy to be filed with the Clerk of Court of York County, of all agencies, boards, bureaus, commissions and school districts of York County, where their activities are not covered by the annual York County audit.

SECTION 16. The county auditor shall cause to be prepared a statement showing for what the proceeds of all taxes levied in York County are to be used. A sufficient number shall be printed and furnished to the Treasurer of York County who is hereby directed to place one in each tax notice mailed out by the treasurer's office.

SECTION 17. The tax collector may call on the sheriff or any deputy sheriff of the county, and any constable in the county, to render him such aid and assistance as may be necessary, which shall be rendered without other costs than those provided by law, in the ejectment of any occupant or tenant in possession of any property at any time when ejectment shall be lawful and proper in the discharge of his duty as such officer.

SECTION 18. No tort claim against York County shall be paid by the board of directors or the supervisor except on written approval of the county attorney.

SECTION 19. This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1964.

(R1364, H2750)

No. 1381**An Act To Authorize The Treasurer Of York County To Transfer Certain County Funds.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. York County may transfer funds.—The Treasurer of York County is hereby authorized to transfer from the general fund of the county to the account of the York County Supervisor the sum of twelve thousand dollars.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1964.

RULES AND REGULATIONS

Adopted Under General And Permanent Laws Of The State Of South Carolina

FILED IN THE OFFICE OF THE SECRETARY OF STATE AS OF
MAY 31, 1964

Published Pursuant to Section 1-16, Code of Laws of
South Carolina, 1962

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RULES AND REGULATIONS

RULES OF THE SUPREME COURT

Disciplinary Procedure

(Filed in the office of the Code Commissioner November 4, 1963)

It is ordered that Section 9 of the Rule on Disciplinary Procedure adopted by this Court May 31, 1958, be amended, effective January 18, 1964, by adding at the end thereof the following:

"The Chairman of the Board of Commissioners may, whenever he deems it advisable, request the Attorney General's office to handle the prosecution of a claim before the hearing panel",
so that, as amended, Section 9 shall read as follows:

"After respondent's answer has been filed, or the time has expired within which respondent was required to file such answer, a formal hearing shall be held, upon reasonable notice to complainant and respondent or their counsel, by a panel of three Commissioners appointed by the Chairman of the Board of Commissioners, who shall designate one member of such panel as chairman of the panel. No member of such panel shall be a resident of the Judicial Circuit from which the complaint originated, or of the Judicial Circuit in which the respondent resides at the time of the filing of the complaint. The Chairman of the Board of Commissioners may, whenever he deems it advisable, request the Attorney General's office to handle the prosecution of a claim before the hearing panel."

It is further ordered that Section 11 be amended by adding at the end of the last sentence of the first paragraph of the Section the following:

", and to the Attorney General's office where that office has participated in the hearing before the panel."

so that the first paragraph of Section 11, as amended, shall read as follows:

"Whenever the panel in its report shall have recommended disbarment, suspension, or public reprimand, the Board of Commissioners, through its Secretary, shall, before acting upon such report, notify the respondent and his counsel, if any, of the time and place at which the Board will consider the report for the purpose of determining its action thereon, such notice to be given not less than thirty days prior to such meeting. And the respondent and his counsel shall have the right, and shall be so informed in said notice, to appear before the Board at said meeting and thereupon to submit briefs and be heard in oral argument in opposition to the recommendations of the panel. Like notice shall be given, and like opportunity to submit briefs and be heard in oral argument in support of the recommendations of the panel shall be afforded, to the complainant and his counsel, if any, and to the Attorney General's office where that office has participated in the hearing before the panel."

It is further ordered that Section 14 be amended by adding at the end of the first sentence the following:

“, whether or not he shall have been requested by the Chairman of the Board of Commissioners to participate in the earlier phases of the prosecution of the complaint.”

so that Section 14, when amended, shall read as follows:

“At least twenty days before the date for showing cause stated in the order of this Court, the respondent shall make return to said order, setting forth his grounds of objection to the findings and recommendations of the Board of Commissioners and to the entry of a disciplinary order or to the confirmation of the report of said Board upon which the said order to show cause was issued, and shall file with the Clerk of this Court the original and ten copies of such return, together with proof of service of the said return upon the Secretary of the Board of Commissioners, upon the complainant or his counsel, and upon the Attorney General of South Carolina, who shall thereafter participate in the proceedings in the public interest, whether or not he shall have been requested by the Chairman of the Board of Commissioners to participate in the earlier phases of the prosecution of the complaint. At the time of filing his return as aforesaid, the respondent shall also file with the Clerk of this Court the original and ten copies of a brief in support thereof, together with proof of service of said brief upon the Secretary of the Board of Commissioners, upon the complainant or his counsel, and upon the **Attorney General.**”

AGRICULTURE COMMISSIONER

Promulgated under authority of Section 3-402 of the 1962 Code
(Filed in the office of the Secretary of State January 16, 1964)

Regulation 2.

Noxious Weed

“Noxious weeds shall be seeds or bulbs of the following:”

Amend by adding to list of noxious weeds the following:

Giant Foxtail—*Setaria Faberi*—Prohibited

Promulgated under authority of Section 32-1525 of the 1962 Code
(Filed in the office of the Secretary of State March 18, 1964)

Regulation 4.

Meat and Meat Products

- 4.1 **Hamburger** shall consist of chopped or ground fresh beef, with or without the addition of beef fat as such, ordinary seasonings and spices such as salt, pepper, sage, etc., and shall not contain more than 30 per cent of fat. Twenty-five per cent of the total meat ingredients may be trimmed beef cheeks. Fat analysis shall be determined

in accordance with official methods of the Association of Official Agricultural Chemists.

Hamburger shall not contain any artificial coloring, artificial flavoring, antioxidants, or preservatives.

No extenders or cereals may be used in **Hamburger**.

Water or ice may be used in the preparation of **Hamburger** provided it does not exceed 3 per cent of the total ingredients used.

- 4.2 **Ground Beef** shall consist of chopped or ground fresh beef, without the addition of beef fat as such, and shall not contain more than 30 per cent of fat. Fat analysis shall be determined in accordance with official methods of the Association of Official Agricultural Chemists.

Ground Beef shall not contain any artificial coloring, artificial flavoring, antioxidants, or preservatives.

No extenders or cereals may be used in **Ground Beef**.

Water or ice may be used in the preparation of **Ground Beef** provided it does not exceed 3 per cent of the total ingredients used.

- 4.3 **Pork Sausage** shall consist of fresh or frozen pork, ordinary seasonings and spices such as salt, pepper, sage, etc., and shall not contain more than 50 per cent of fat. Fat analysis shall be determined in accordance with official methods of the Association of Official Agricultural Chemists.

Pork Sausage shall not contain any artificial coloring, artificial flavoring, antioxidants, or preservatives.

For the purpose of facilitating chopping and mixing, and with appropriate label declaration in the ingredient listing, water or ice may be used in the preparation of **Pork Sausage** in an amount not to exceed 3 per cent of the total ingredients used.

- 4.4 **Precooked Sausage**, such as frankfurters, bologna, smoked sausage, vienna, etc., may contain not more than 10 per cent of added water or moisture over and above four times the protein content.

Precooked Sausage may contain not more than 3½ per cent, individually or collectively, of cereal, vegetable starch, starchy vegetable flour, soya flour, non-fat dried milk, or dried milk. Further, when any of the listed extenders are added to the sausage, there shall appear on the label in a prominent manner, next to the name of the product the name of each added ingredient as, for example, "cereal added", "with cereal", "potato flour added", "soya flour added", "non-fat dried milk added", "cereal and non-fat dried milk added", as the case may be. Further, when precooked sausage contains extenders as listed in this paragraph it may not be labeled "all meat", as "all meat frankfurters", "all meat bologna", etc.

- 4-5 All prepackaged **Hamburger**, **Ground Beef** and **Pork Sausage** must be labeled as such and must show the name and address of the manufacturer or producer or person responsible for the food.

All Hamburger, Ground Beef and Pork Sausage offered for sale in unlabeled bulk counter displays must meet the standards for these products as defined in Regulations 4.1 through 4.3.

- 4.6 Any meat or meat product sold, offered or exposed for sale by any name other than the specific products defined in Regulations 4.1 through 4.4 shall be labeled to show the name of the product and the ingredients contained therein listed in decreasing order of predominance.
- 4.7 Any of the above products sold in bulk shall carry an invoice stating the exact name of the product. This invoice shall be retained by the merchant for not less than thirty (30) days and it shall be available for inspection by the Department of Agriculture and/or its agents, servants and employees.

The effective date of these Regulations shall be April 1, 1964.

BOARD OF BANK CONTROL

Regulation No. 2.

Small Loans

Promulgated under authority of Section 8-704 of the 1962 Code

(Filed in the office of the Secretary of State March 17, 1964)

The South Carolina Insurance Department has published new regulations, effective January 1, 1964, relating to insurance coverage written in connection with loans made pursuant to the Small Loan Act. The South Carolina State Board of Bank Control does hereby recognize full authority of the South Carolina State Insurance Department to regulate and establish rates on all insurance written in connection with loans made under provisions of the Small Loan Act, and during examinations of licensed Small Loan Companies the South Carolina State Board of Bank Control, Small Loan Division, will follow the regulations adopted by the South Carolina Insurance Department on January 1, 1964, as they relate to licensed Small Loan Companies.

CLEMSON COLLEGE

State Crop Pest Commission

Promulgated under authority of Section 3-104 of the 1962 Code

Regulations Governing the Shipment of Tomato Plants into South Carolina

(Filed in the office of the Secretary of State October 8, 1963)

Witchweed Quarantine—revised January 1, 1964

White-Fringed Beetle Quarantine—revised February 15, 1964

Sweet Potato Weevil Quarantine—revised April 1, 1964

(Filed in the office of the Secretary of State May 18, 1964)

Those interested in any of these four regulations should refer to the copy which is filed in the Office of the Secretary of State.

STATE BOARD OF EDUCATION**State Scholarship Grants**

Promulgated under authority of Act 297 of 1963

(Filed in the office of the Secretary of State August 29, 1963)

I. Eligibility for State Scholarship Grants

When state funds have been made available, scholarships may be granted to any person between the ages of six (sixth birthday on or before November 1) and twenty whose domicile is with his or her parent or guardian within a school district of the State, where the legal trustees choose to accept the Grant in Aid plan and provide the district's pro rata of the cost as provided by the Act; and further who is qualified and entitled to attend a public school in the district.

II. Conditions for Approval of Scholarship Grants

Scholarship grants may be approved for use only in non-sectarian private schools between the grades of one and twelve inclusive, located within the State of South Carolina and which meet the minimum requirements prescribed by the State Board of Education.

III. Amount of Scholarship Grants

The amount of each scholarship grant shall be an amount equal to the per pupil cost to the State of public education, as certified by the Governor, provided that the local school district in which the pupil resides shall make available a grant of local funds to such pupil in amount equal to the per pupil cost to the school district, exclusive of all state funds, and further provided that the total annual scholarship grant provided for each child shall not exceed the actual cost of tuition at the private school attended by the pupil.

IV. Procedure

The State Department of Education is designated by the State Board of Education as the legal agent for the administration of the State Scholarship Grants program. Applications for scholarship grants shall be made to the board of trustees of the school district in which the pupil resides with his or her parent or guardian on official application forms secured from the board of trustees. Such application, when processed and approved by the board of trustees, showing the amount of district funds reserved for payment of the district's portion of the Grant, shall be forwarded to the State Department of Education. The State Department of Education shall then process the application, listing the pro rata of state funds per pupil, and shall notify the district board of trustees the amount of state funds for which the pupil is eligible. Any or all of the scholarship grant for any particular pupil sent to the board of trustees not paid to the parent or guardian must be returned to the State Department of Education.

V. Reimbursement to District School Boards

The State Department of Education is hereby authorized to reimburse the district board for the State's share of such scholarship grant as pro-

vided by law. No payment shall be made by the district board to a parent or guardian until a report has been received from the school in which the pupil is in attendance. The report shall show the length of time in days actually taught and the number of days in which the pupil was in attendance. Full reimbursement shall not be made for any pupil who is not in attendance a minimum of 75 days each semester or 150 days each school session except where excessive absence has been caused by illness properly certified by a physician. The scholarship grants for pupils who transfer from one school to another will be pro rated.

VI. Minimum Requirements for Private Schools

a. A private elementary school will not be approved unless the school employs qualified teachers, maintains a proper pupil-teacher ratio, uses the course of study provided by the State Board of Education through its adoption of textbooks, employs the other necessary staff personnel, and provides adequate library services.

b. A private high school will not be approved unless it meets the minimum standards set up by the State Board of Education for the approval of a private secondary school, such as:

1. Employ a sufficient number of qualified teachers to sustain a curriculum that will include as a minimum the nine basic courses required by the State Board of Education plus electives that will enable a student to earn at least seven additional units.
2. Operate the school not less than five hours a day for 180 days per session with periods of not less than 45 minutes each for regular class periods.
3. Provide sufficient library books and services to supplement and enrich the total school program.
4. Provide adequate guidance services.

VII. Execution of the Certification by the Board of Trustees

The board of trustees of any school district which decides to enter into the Scholarship Grant in Aid program may designate, through resolution of the board recorded in the minutes of the board, the chairman or secretary of the board to execute the application blanks for the board; and further a copy of such resolutions must be filed with the State Department of Education.

Teacher Education And Certification

Promulgated under authority of Section 21-45 of the 1962 Code
(Filed in the office of the Secretary of State August 29, 1963)

Regulation Governing the Breaking of Contracts

As Passed by the State Board of Education, April 15, 1955
and

As Amended by the State Board of Education, August 16, 1963

When any teacher has entered into any signed contract or written agreement to teach in any public school of South Carolina, such teacher shall not break or seek to terminate such contract except for good cause, and then

only after giving the notice herein required. Any teacher wishing to cancel or terminate a contract shall give to the superintendent of the school district a written notice at least thirty days prior to the date upon which the teacher desires the contract to be terminated. If the employing authority does not agree to the termination of said contract, it shall, within ten days after receipt of such notice from the teacher, give the teacher a statement in writing that it does not agree to the termination of the contract. If the teacher breaks such contract within thirty days prior to the opening date of school, or during the school session, without the agreement on the part of the employing authorities to the termination of the contract, it shall then be the duty of the superintendent to report the name of the teacher to the State Board of Education. The Board shall thereupon give notice to the said teacher by registered mail why such teacher's certificate should not be revoked or suspended. If the teacher fails to appear before the State Board, or if the teacher does appear and the said Board rules that such teacher did not have sufficient cause for terminating the contract, the said Board shall revoke or suspend the certificate of such teacher for a period not exceeding one year for the first offense.

The term, "teacher", as herein used shall include all school personnel required to be certified by the State Board of Education.

High School Students

Promulgated under authority of Section 21-45 of the 1962 Code
(Filed in the office of the Secretary of State August 29, 1963)

These standards were adopted by the Board July 19, 1963, and supersede any rules or regulations heretofore adopted which are in conflict with them. Those interested should refer to the copy in the office of the Secretary of State.

State Plans Pertaining to Public Law 85-864

Promulgated under authority of Section 21-45 of the 1962 Code
(Filed in the office of the Secretary of State December 16, 1963)

A revised State Plan for the Strengthening of Instruction in Science, Mathematics, and Modern Foreign Languages under Sections 201-304 of Title III, P. L. 85-864, as amended, was approved by the Board on December 3, 1963. Those interested should refer to the copy in the office of the Secretary of State.

EDUCATIONAL FINANCE COMMISSION

Promulgated under authority of Section 21-839.9 of the 1962 Code

Regulations Governing School Bus Permits

(Filed in the office of the Secretary of State October 7, 1963)

1. When state-owned buses are used by the schools for educational purposes other than transporting pupils to and from school, the cost of operation shall be borne by the school district using them. The driver shall

be paid directly by the local school. In addition, a charge of 20¢ per mile, payable to the Commission through the County Superintendent of Education, shall be made regardless of the size of the bus used. Also, schools will be responsible for damages to the bus as a result of abuse. The 20¢ per mile is applicable to all trips other than the regularly scheduled trips to and from school as shown on the route description.

2. All drivers must possess School Bus Drivers' Certificates issued by the State Highway Department.

3. The use of school buses for purposes other than transporting pupils to and from school shall in no way conflict with the regular school schedule.

4. The use of state-owned buses shall be limited to those events and activities actually conducted and sponsored by school authorities. They shall be used only for pupils regularly enrolled in grades one through twelve, and they shall not be available for use by other organizations and agencies. Buses may be used for the following activities: F.F.A., J.H.A., N.F.A., N.H.A., 4-H Clubs, Chorus or Glee Clubs, Band, Athletics, and Instructional Field Trips that are scheduled in conjunction with classroom instruction.

Buses may not be used for picnics, Boy and Girl Scout Activities, church groups, adult groups, Little League and American Legion Baseball and summer recreational programs.

5. Where buses are used for athletic or other extra-curricular events, their use shall be limited to the transportation of participants and chaperones. Such use is to be limited to the transportation of participants and chaperones from the school to their destination and return to the school. Buses shall not be used to transport students and chaperones from their home to school or from school to home after extra-curricular trips.

6. Permission to use buses for purposes other than transportation of pupils to and from school must be secured in writing from the County Board of Education. Permission shall be granted on forms, in quadruplicate, to be supplied by the Commission, distribution of copies as shown on front of permit.

7. The use of state-owned buses for extra-curricular purposes for trips outside the State shall be limited to athletic and other school activities in adjacent counties in Georgia and North Carolina with the exception of the following counties in North Carolina: Polk, Henderson, Transylvania, Jackson, and Macon. Due to the mountainous terrain in these counties, state-owned buses shall not be used for extra-curricular activities in these counties.

8. The permit for the use of school buses issued by the County Board of Education shall be taken by the driver on each trip made by the bus, other than trips made transporting children to and from school over the regular route.

General Transportation Regulations

(Revised 1963-64 School Term)

Promulgated under authority of Section 21-839.9 of the 1962 Code

(Filed in the office of the Secretary of State October 7, 1963)

1. The Board of Trustees of each school district shall, through the Principal or Superintendent of each school in the district, be responsible to the Commission and the County Board of Education for assistance in supervising the operation of school buses in the district. The Principal or Superintendent of each school in the district shall keep informed as to all laws and regulations governing school bus transportation and cooperate fully at all times in the execution of same. Accurate records for transportation must be kept and reports made as requested. The transportation of pupils is an integral and essential part of the school program, and teachers may be assigned to school bus duties in the interest of the transportation program.

2. In schools where pupils are transported to elementary schools which feed into central high schools for high school work, the State shall not be required to operate buses for high school and elementary pupils separately. The schedule of work and the opening and closing hours for all schools served by the same buses must be so arranged as to facilitate a maximum amount of school work and, at the same time, permit the operation of a satisfactory and economical transportation program.

3. Buses shall be routed to make two or more trips where the combined trips (one way) can be made in one hour and fifteen minutes.

4. School bus stops are to be set up on each route not less than two-tenths of a mile apart at **safe** points. During periods of inclement weather, buses may be allowed to stop at **safe** points nearest the house of each child on the regular routes. Stops shall not be made on blind curves, steep grades, or near the crests of hills. On routes where buses are required to turn around in traversing their routes, points shall be selected in the interest of safety and with a view toward the walking limit of one mile.

5. Buses must be left on the school grounds or in the vicinity of the school during the school day.

6. Pupils are not to be transported from one district to another when an appropriate school is provided within the district. This should be considered in routing all buses.

7. Parents or guardians of school pupils who have physical handicaps (such as being crippled or having a chronic disorder of lengthy duration) may apply for special school bus transportation service for such pupils in the following manner:

- a. Have the pupil examined by the local County Health Officer.
- b. Receive a written statement from the County Health Officer to the effect that without special school bus transportation service unusual hardship is experienced by the pupil in walking the required distance to the regular route.

- c. Submit the statement from the County Health Officer to the County Superintendent of Schools and request service.
 - d. The County Superintendent may submit the statement with a request for special school bus transportation service to the Educational Finance Commission for approval. Approval by the Educational Finance Commission shall be required before a change in a school bus route for this purpose becomes official.
 - e. Approval for such a change in a school bus route shall terminate at the end of a school year, at the time when the pupil has become normal, or when the pupil for whom the service was intended has moved to a different residence.
8. Transportation on regular school routes is authorized only for pupils regularly enrolled in a public school in grades one through twelve.
9. Under the terms of the law creating the State Educational Finance Commission, it is declared to be the policy of the State of South Carolina not to assume the responsibility of transporting any students living within one and one-half miles of the school they attend, such distances to be determined by the most direct route over publicly maintained roads or streets. Therefore, no school bus shall stop for the purpose of picking up or discharging any school child living within one and one-half miles of the school, unless the child qualifies for transportation under one of the following conditions:
- a. When the child qualifies for transportation due to physical handicaps as provided in Regulation Number 7.
 - b. Where no additional state-owned school buses are required, it will be permissible for school buses to transport children to and from school on the established route within one and one-half miles distance of the school if there are vacant seats on the school bus.
 - c. When the County Board of Education of any county of this State desires to have children transported to and from school within one and one-half miles distance of the school, state-owned buses may be used for this purpose providing the County Board of Education or a school district through the County Board will pay to the Educational Finance Commission (20) cents per mile or fractional part thereof traveled by buses in transporting children within the one and one-half mile. No additional state-owned buses will be assigned for transportation of students living within one and one-half miles of the school, as the number, capacity, and routes of all state-owned buses are assigned on the basis of pupils living beyond one and one-half miles of the school.
10. Each bus driver shall keep his bus in a reasonably clean and sanitary condition. The continued failure of any driver to meet this requirement shall result in his discharge. Any bus driver using a bus on an unauthorized trip shall be dismissed immediately. Local school boards shall designate a school official to see that buses shall not be abused; to assist in the investigation of damages to state-owned equipment; and to aid in

the prosecution, either civilly or criminally, of any proceedings necessary to see that proper care is taken.

11. Bus drivers shall not abuse equipment assigned to them, and they shall exercise due diligence and care in their use of gasoline and oil. Each driver will promptly make any reports required. Local school boards shall replace drivers who abuse buses assigned to them.

12. The payment of the salary of any bus driver may be stopped when reports of unsatisfactory service have been investigated and found to be adequately substantiated.

13. Local school boards shall be responsible for gasoline and oil assigned to them for the use of school buses. The board shall see that someone is designated to check in these supplies and check them out to buses as needed. The school district will be held responsible for excess shortages. Any loss of more than 2 per cent of the gasoline dispensed shall be considered as excessive.

14. Should the Regulations of the Commission governing the use of school buses for purposes other than transporting pupils to and from school be violated in any school district, buses in such school district may be withdrawn from any further extra-curricular service.

15. Local school boards and County Boards of Education must correct violations in the routing of any school bus under their jurisdiction, or payments for providing transportation on such route or routes may be withheld; and the bus or buses may be removed from the area until such time as adequate assurances are made that the requirements of the law and the Regulations of the Commission will be fully observed.

BOARD OF HEALTH

Promulgated under authority of Section 32-8 of the 1962 Code
(Filed in the office of the Secretary of State March 2, 1964)

Sanitation of Schools

These rules and regulations were adopted January 15, 1964 and supersede those filed April 10, 1952. Those interested should refer to the copy in the office of the Secretary of State.

INSURANCE COMMISSION

Promulgated under authority of Section 37-56 of the 1962 Code

Valuation of Individual Accident and Health Policies

(Filed in the office of the Secretary of State September 5, 1963)

1. Reserves on non-cancellable and/or guaranteed renewable accident and health insurance contracts shall be computed in accordance with the following provisions:

2. **Types of Individual Accident and Health Insurance Policies for the purposes of this Regulation.**

(a) Policies which are guaranteed renewable for life or to a specified age, such as 60 or 65, at guaranteed premium rates.

(b) Policies which are guaranteed renewable for life or to a specified age, such as 60 or 65, but under which the insurer reserves the right to change the scale of premiums.

(c) Policies, other than those in Type d, in which the insurer has reserved the right to cancel or refuse renewal for one or more reasons, but has agreed implicitly or explicitly that, prior to a specified time or age, it will not cancel or decline renewal solely because of deterioration of health after issue.

(d) Franchise policies or certificates issued under or subject to an agreement that, except for stated reasons, the insurer will not cancel or refuse to renew the coverage of individual insureds prior to a specified age unless all coverage under the same group is terminated.

(e) Commercial policies and other policies not falling within Type a to d, inclusive.

3. Standards of Valuation for Policies of Type a, b, or c.

During the period within which the renewability of the policy is guaranteed or the insurer's right to refuse renewal is limited, the minimum reserve for policies of type a, b, or c, issued on or after January 1, 1963, shall be an amount computed on the basis of two-year preliminary term tabular mean reserves employing the following assumptions:

Mortality: 1941 Commissioners Standard Ordinary Table or American Men Ultimate Table.

Interest: The maximum rate permitted by law in the valuation of currently issued life insurance.

Morbidity or other Contingency:

Disability due to accident and sickness—

Conference Modification of Class III.

Disability Table.

Hospital Expense Benefits—1956 Inter-company Hospital Table.

Surgical Expense Benefits—1956 Inter-company Surgical Table.

For accident only, major medical expense, and other benefits not specified above, each company is required to establish reserves that place a sound value on the liabilities under such benefit.

Such mean reserves shall be diminished or offset by appropriate credit for the valuation net deferred premiums. In no event, however, shall the aggregate reserves for all policies issued on or after January 1, 1963, and valued on the mean reserve basis, diminished by any credit for deferred premiums, be less than the gross pro rata unearned premiums under such policies.

Negative Reserves. Negative reserves on any benefit may be offset against positive reserves for other benefits in the same individual or family policy, but if all benefits of such policy collectively develop a negative reserve, credit shall not be taken for such amount.

4. Standard of Valuation for Policies of Type d or e.

For policies of Type d or e, the reserve shall not be less than the pro rata gross unearned premium reserve.

5. Alternative Valuation Procedures and Assumptions.

Provided the reserve on all policies to which the method or basis is applied is not less in the aggregate than the amount determined according to the applicable standards specified above, an insurer may use any reasonable assumptions as to the interest rate, mortality rates, or the rates of morbidity or other contingency, and may introduce an assumption as to the voluntary termination of policies. Also, subject to the preceding condition, the insurer may employ methods other than the methods stated above in determining a sound value of its liabilities under such policies, including but not limited to the following: (i) the use of mid-terminal reserves in addition to either gross or net pro rata unearned premium reserves; (ii) optional use of either the level premium, the one-year preliminary term, or the two-year preliminary term method; (iii) prospective valuation on the basis of actual gross premiums with reasonable allowance for future expenses; (iv) the use of approximations such as those involving age groupings, groupings of several years of issue, average amounts of indemnity; (v) the computation of the reserve for one policy benefit as a percentage of, or by other relation to, the aggregate policy reserves, exclusive of the benefit or benefits so valued; (vi) the use of a composite annual claim cost for all or any combination of the benefits included in the policies valued.

For statement purposes the net reserve liability for active lives may be shown as (i) the mean reserve with offsetting asset items for net unpaid and deferred premiums, (ii) the excess of the mean reserve over the amount of net unpaid and deferred premiums, or (iii) it may, regardless of the underlying method of calculation, be divided between the gross pro rata unearned premium reserve and a balancing item for the "additional reserve."

Mortgage Guaranty Reserve Requirements

(Filed in the office of the Secretary of State January 15, 1964)

This Regulation shall apply to all insurers writing mortgage guaranty insurance in South Carolina. Mortgage guaranty insurance is defined for the purposes of this Regulation as the insurance of mortgage lenders against loss by reason of nonpayment of mortgage indebtedness by borrowers, and should not be confused with other kinds of insurance written incidental to mortgage loan transactions such as mortgage redemption life insurance, hazard insurance covering improvements to real property, and credit accident and health coverages.

1. Unearned premium reserves for mortgage guaranty insurance shall be computed in accordance with Section 37-188 of the 1962 Code which specifies that such reserves are to be computed by the use of annual or more frequent pro rata fractions.

2. In addition to the unearned premium reserve, every mortgage guaranty insurer writing business in this State must establish and maintain a contingency reserve, computed as hereinafter described, for the further protection of such companies and their policyholders against the adverse effects of economic cycles and other causes of excessive loss experience. The contingency reserve shall be credited not less frequently than annually, as of the end of each calendar year, with an amount equal to fifty per cent of the premiums earned during the year, computed in accordance with Section 37-188 of the 1962 Code. Each such amount credited to the contingency reserve shall be carried as a liability for fifteen years following the year for which the credit is established, unless used to pay mortgage guaranty losses as hereinafter provided.

3. If for any year the incurred losses and loss expenses for mortgage guaranty insurance shall exceed forty per cent of the premiums earned on such business, the contingency reserve may be charged with the amount of such excess if such charge is approved by the Chief Insurance Commissioner. Any such annual charges shall be treated so as to reduce or remove the amounts originally credited to said reserve on a first-in, first-out basis.

4. Annual statements reflecting mortgage guaranty insurance transactions by licensed insurers must be prepared in compliance with this Regulation to meet the requirements of Section 37-289.1 of the 1962 Code.

Credit Insurance

(Filed in the office of the Secretary of State February 3, 1964)

1. Scope:

The provisions of this Regulation shall pertain to all lines or categories of credit insurance written by insurance companies duly licensed to do business under the Insurance Laws of the State of South Carolina and sold in this State by licensed agents through small loan licensees, banks, finance companies, licensed and unlicensed lenders, and all other credit insurance sold in this State in connection with consumer finance, except such insurance in connection with a loan or other credit transaction of more than five years duration; nor shall insurance be subject to the provisions of this Regulation where the issuance of such insurance is an isolated transaction on the part of the insurer not related to an agreement or a plan for insuring debtors of the creditor.

2. Definitions:

For the purpose of this Regulation:

(a) "Credit Life Insurance" means insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction;

(b) "Credit Accident and Health Insurance" means insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy;

(c) "Credit Property Insurance" means insurance on property securing a specific loan or other credit transaction against physical damage, destruction or loss;

(d) "Creditor" means the lender of money or vendor of goods, services, or property, rights or privileges, for which payment is arranged through a credit transaction or any successor to the right, title or interest of any such lender, vendor, and an affiliate, associate or subsidiary of any of them or any director, officer or employee of any of them or any other person in any way associated with any of them;

(e) "Debtor" means a borrower of money or a purchaser of goods, services, property, rights or privileges for which payment is arranged through a credit transaction;

(f) "Indebtedness" means the total amount payable by a debtor to a creditor in connection with a loan or other credit transaction.

3. Forms of credit life insurance, credit property insurance and credit accident and health insurance:

Credit life insurance, credit property insurance and credit accident and health insurance shall be issued only in the following forms:

- A. Individual policies of life insurance issued to debtors on a term plan;
- B. Individual policies of property insurance issued to debtors on a term plan;
- C. Individual policies of accident and health insurance issued to debtors on a term plan or disability benefit provisions in individual policies of credit life insurance;
- D. Group policies of life insurance (with or without disability provisions) issued to creditors providing insurance upon the lives of debtors on the term plan.

4. Amount of credit life insurance, credit property insurance and credit accident and health insurance:

A. Credit Life Insurance:

(1) The initial amount of credit life insurance shall not be greater than the next higher multiple of \$10 exceeding the total amount repayable under the contract of indebtedness and, where an indebtedness is repayable in substantially equal installments, the amount of insurance shall at no time exceed the scheduled or actual amount of unpaid indebtedness, whichever is greater, except to the extent that the next higher multiple of \$10 affects the initial amount.

(2) Notwithstanding the provisions of the above paragraph, life insurance on agricultural credit transaction commitments not exceeding one year in duration may be written up to the amount of the loan commitment on a nondecreasing or level term plan.

B. Credit Accident and Health Insurance:

The total amount of indemnity payable by credit accident and health insurance in event of disability, as defined in the policy, shall not be greater than the aggregate of the scheduled unpaid installments if such installments were to be increased to the next higher multiple of five dollars and if the installment period is one month or more. The amount of each periodic indemnity payment shall not exceed the original indebtedness divided by the number of periodic installments, where the period is one month or more, except to the extent that the next higher multiple of five dollars affects the periodic indemnity. Any installment period of less than one month shall be converted to a minimum period of one month and the appropriate minimum monthly installment may then be increased to the next higher multiple of five dollars as outlined above.

C. Credit Property Insurance:

(1) The initial amount of required personal property insurance (other than auto) and auto insurance where the cash to borrower does not exceed \$200 shall not be greater than the total amount repayable under the contract of indebtedness increased to the next higher multiple of \$10 and, where an indebtedness is repayable in substantially equal installments, the amount of required insurance shall at no time exceed the scheduled or actual amount of unpaid indebtedness, whichever is greater, except to the extent that it is affected by the next higher multiple of \$10.

(2) The initial amount required for all other property insurance shall not exceed the total amount repayable under the contract of indebtedness and, where an indebtedness is repayable in substantially equal installments, the amount of required insurance shall at no time exceed the scheduled or actual amount of unpaid indebtedness, whichever is greater.

Credit property insurance may be sold, at the option of the borrower in an amount greater than the amount of the loan or for a longer term. In no event, however, shall the amount of credit insurance exceed the reasonable value of the property insured.

No insurance of any kind shall be required for any credit transaction where the cash to the borrower is less than twenty dollars.

5. Term of Credit Life Insurance, Credit Property Insurance and Credit Accident and Health Insurance:

The term of any credit life insurance, credit property insurance or credit accident and health insurance shall, subject to acceptance by the insurer, commence on the date when the debtor becomes obligated to the creditor, except that, where a group life policy provides coverage with respect to such indebtedness, shall commence on the effective date of the policy. If evidence of insurability satisfactory to the company is required prior to any credit life or credit accident and health insurance becoming effective and such evidence is furnished more than thirty days after the

date when the debtor becomes obligated to the creditor, the term of the insurance may commence on the date on which the insurance company determines the evidence to be satisfactory, and in such event there shall be an appropriate refund or adjustment of any charge to the debtor for insurance. The term of such credit life or accident and health insurance shall not extend more than one month beyond the scheduled maturity date of the indebtedness except when extended without additional cost to the debtor. If the indebtedness is discharged due to renewal or refinancing prior to the scheduled maturity date, the insurance in force shall be terminated before any new insurance may be issued in connection with the renewed or refinanced indebtedness. In all cases of termination prior to scheduled maturity, a refund shall be paid or credited as provided in 8.

6. Provisions of Policies and Certificates of Insurance: Disclosure to Debtors:

- A. All credit life, credit property insurance and credit accident and health insurance shall be evidenced by an individual policy, or in the case of group life insurance by a certificate of insurance, which individual policy or group certificate of insurance shall be delivered to the debtor as provided in 6 C. and 6 D. hereof.
- B. Each individual policy, or group certificate of credit life insurance, shall, in addition to other requirements of law or regulation, set forth the name and home office address of the insurer, the name or names of the debtor, the premium or amount of payment, if any, by the debtor separately for credit life insurance, credit property insurance and credit accident and health insurance, a description of the amount, term and coverage including any exceptions, limitations and restrictions, and shall state that the benefits shall be paid to the creditor to reduce or extinguish the unpaid indebtedness and, wherever the amount of insurance may exceed the unpaid indebtedness, that any such excess shall be payable to a beneficiary, other than the creditor, named by the debtor or to his estate.
- C. Said individual policy or group certificate of insurance shall be delivered to the insured debtor at the time the indebtedness is incurred except as hereinafter provided.
- D. If said individual policy or group certificate of insurance is not delivered to the debtor at the time the indebtedness is incurred, a copy of the application for such policy or a notice of proposed insurance shall be delivered at such time to the debtor. The copy of the application for, or notice of proposed insurance, shall be signed by the debtor and shall set forth the identity by name or otherwise of the person or persons insured, the rate or amount of payment by the debtor, if any, separately for credit life insurance, credit property insurance and credit accident and health insurance, and a statement that within thirty days, if the insurance is accepted by the insurer, there will be delivered to the debtor an individual

policy or group certificate of insurance containing the name and home office address of the insurer, a description of the amount, term and coverage including any exceptions, limitations and restrictions. The copy of the application for, or notice of proposed insurance, shall also refer exclusively to insurance coverage, and shall be separate and apart from the loan, sale or other credit statement of account, instrument or agreement, unless the information required by this subsection is prominently set forth therein. Upon acceptance of the insurance by the insurer and within thirty (30) days of the date upon which the indebtedness is incurred, the insurer shall cause the individual policy or group certificate of insurance to be delivered to the debtor. Said application or notice of proposed insurance shall state that the insurance shall become effective as provided in Section 5.

7. Filing, Approval and Withdrawal of Forms:

- A. No credit policies, certificates of insurance, notices of proposed insurance, applications for insurance, endorsements or riders shall be issued or delivered in this State until form of the same has been filed with and approved by the Chief Insurance Commissioner. Schedules of all premium rates pertaining thereto shall be filed with the Chief Insurance Commissioner.

Except as hereinafter provided the schedule of premium rates and refunds prepared for use by the South Carolina Credit Insurance Association, effective January 1, 1964, the same being on file with this Department, shall operate as the approved rates and refunds for all lines and categories of credit insurance encompassed therein.

- B. The Chief Insurance Commissioner shall disapprove any such policies, certificates of insurance, notices of proposed insurance, applications for insurance, endorsements and riders if the benefits provided therein are not reasonable in relation to the premium charge, or if it contains provisions which are unjust, unfair, inequitable, misleading, deceptive or encourage misrepresentation of the coverage, or are contrary to any provision of the South Carolina Code of Laws or any rule or regulation promulgated thereunder.

8. Premiums and Refunds:

- A. Any insurer may revise its schedules of premium rates from time to time, and shall file such revised schedules with the Chief Insurance Commissioner. No insurer shall issue any credit life insurance policy, credit property or credit accident and health insurance policy for which the premium rate exceeds that determined by the schedules of such insurer as then on file with and approved by the Chief Insurance Commissioner.
- B. Each individual policy, or group certificate, shall provide that in the event of termination of the insurance prior to the scheduled maturity date of the indebtedness, any refund of an amount paid

by the debtor for insurance shall be paid or credited promptly to the person entitled thereto; provided, however, a minimum refund of \$1.00 for each line of insurance is established. No refund which is less than such minimum need be made. The formula to be used in computing such refund shall be filed with the Chief Insurance Commissioner.

- C. If a creditor requires a debtor to make any payment for credit life insurance, credit property insurance or credit accident and health insurance and an individual policy or group certificate of insurance is not issued, the creditor shall immediately give written notice to such debtor and shall promptly make an appropriate credit to the account.
- D. The amount charged to a debtor for any credit life, credit property or credit accident and health insurance shall not exceed the premiums charged by the insurer, as computed at the time the charge to the debtor is determined.
- E. Nothing in this regulation shall be construed to authorize any payments for insurance now prohibited under any statute, or rule thereunder, governing credit transactions.

9. Issuance of Policies:

All policies of credit life insurance, credit property and credit accident and health insurance shall be delivered or issued for delivery in this State only by an insurer authorized to do an insurance business therein, and shall be issued only through holders of licenses or authorizations issued by the Chief Insurance Commissioner.

10. Claims:

- A. All claims shall be promptly reported to the insurer or its designated claim representative, and the insurer shall maintain adequate claim files. All claims shall be settled as soon as possible and in accordance with the terms of the insurance contract.
- B. All claims shall be paid either by draft drawn upon the insurer or by check of the insurer to the order of the claimant to whom payment of the claim is due pursuant to the policy provisions, or upon direction of such claimant to one specified.
- C. No plan or arrangement shall be used whereby any person, firm or corporation other than the insurer or its designated claim representative shall be authorized to settle or adjust claims. The creditor shall not be designated as claim representative for the insurer in adjusting claims; provided, that a group policyholder may, by arrangement with the group insurer, draw drafts or checks in payment of claims due to the group policyholder subject to audit and review by the insurer.
- D. Every insurance company writing credit life insurance for a small loan licensee shall furnish, within 30 days from the date of final

settlement, copies of all death claims to the Small Loan Division of the Board of Bank Control, including in each instance the name of the small loan licensee through which the death claim was paid.

11. Existing Insurance—Choice of Insurer:

When credit life insurance, credit property insurance or credit accident and health insurance is required as additional security for any indebtedness, the debtor shall, upon request to the creditor, have the option of furnishing the required amount of insurance through existing policies of insurance owned or controlled by him or of procuring and furnishing the required coverage through any insurer authorized to transact an insurance business within this State.

12. Reserves:

- A. The reserve for credit accident and health and credit property insurance sold by domestic insurers is to be maintained on a gross unearned premium basis. For single premium decreasing term credit contracts it is understood that the "Rule of 78" or the sum of digits method is a proper and acceptable method by which the unearned premium may be computed.
- B. The reserve for credit life insurance of less than three years duration sold by domestic insurers is to be maintained either on a gross unearned premium basis or in accordance with a mortality table and interest assumption approved for ordinary life policies. The method chosen for credit life valuation as of December 31, 1961, shall not be changed for subsequent years or periods without the prior written approval of the Chief Insurance Commissioner.
- C. For credit life insurance of greater than three years duration the reserve shall be computed in accordance with a mortality table and interest assumption approved for ordinary policies and the unearned premium reserve may not be used unless by special permission of the Chief Insurance Commissioner.
- D. All reserve computations are to be made in such a manner as will enable them to be subsequently verified by representatives of this Department. Computations shall not encompass the usage of broad assumptions relative to ages, terms or other variable factors without statistical proof of such assumptions acceptable to this Department.
- E. Every foreign insurance company authorized to transact business in this State may maintain reserves for its credit business in accordance with the requirements of its state of domicile, provided, the reserves so computed equal or exceed the reserves computed in accordance with the requirements for South Carolina domestic insurers as established by this Regulation.

13. Mandatory Operating Fund:

In addition to the above reserves, all insurance companies writing any of the above defined lines of credit insurance in this State shall retain as a mandatory operating fund not less than forty-five per cent of the total amount of gross premiums for each line of business written in South Carolina for the payment of claims, return premiums and all expenses allocable to such business exclusive of commissions and to provide for contingencies and a reasonable and fair rate of profit. Under no circumstances shall any such amount hereby required to be retained by the company be used by any officer, agent, agency, broker, corporation, firm, or representative of the company to pay directly or indirectly by any plan, scheme, or device any additional remuneration of any kind.

A certification shall be made by the President or other responsible officer of the company to the effect that a minimum of forty-five per cent of the total gross premiums less refunds received for credit insurance during the applicable year has been retained by the company and that no amount or portion thereof has been used or paid by the company or any officer or agent or representative thereof as an additional remuneration for the acquisition, inducement or retention of such business.

This certification shall be filed as a supplement to the annual statement which is now required to be filed with the Chief Insurance Commissioner under Section 37-293 of the Code of Laws of South Carolina, 1962, as amended, and at any other time required by the Chief Insurance Commissioner.

This Regulation shall be effective as of January 1, 1964, and all prior regulations issued by this Department pertaining to credit insurance are hereby cancelled and superseded.

**Liquefied Petroleum Gas
Employer's Certification of Employees**

Promulgated under authority of Section 66-431.2 of the 1962 Code

(Filed in the office of the Secretary of State January 15, 1964)

No dealer, sub-dealer, or other employer of persons handling liquefied petroleum gas products, or servicing any such system in any manner, shall be permitted to certify an employee as competent, except that the person so certifying, as provided by Section 66-431.7, South Carolina Code of Laws, 1962, as amended, prior to his eligibility to certify an employee shall have taken and passed a written examination prepared and given by the Liquefied Petroleum Gas Board, the results of which examination, together with such other information as may be required by the Liquefied Petroleum Gas Board, shall be used by the Board to determine whether the knowledge and experience of the certifying person with respect to the product of Liquefied Petroleum Gas and the laws and regulations applicable thereto in this State are such as to demonstrate that the certifying person is competent to so certify an employee.

**Standards for Places of Outdoor Assembly
Grandstand and Tents**

Promulgated under authority of Section 37-82.1 of the 1962 Code

(Filed in the office of the Secretary of State October 28, 1963)

The current edition and any amendments which may be made to the National Fire Protection Association's Pamphlet No. 102 shall be followed in its entirety as to the minimum requirements for public safety pertaining to matters covered by Sections 37-80 through 37-82.10 of the 1962 Code. Those interested should refer to the copy filed in the office of the Secretary of State.

MENTAL HEALTH COMMISSION

Promulgated under authority of Section 32-924 of the 1962 Code

(Filed in the office of the Secretary of State November 26, 1963)

Statistical Discharge of Patients or Trainees

The South Carolina Mental Health Commission adopts the following regulations:

1. Any patient absent from the South Carolina State Hospital either on conditional discharge or leave without permission for one year or more, and who has not received a final or regular discharge, shall be considered as statistically discharged. For any such patient to return to the hospital for further care and treatment it will be necessary to submit a new application for admission, as provided by law, just as though the patient had not previously been in the hospital.

2. Any trainee absent from Pineland, A State Training School and Hospital, either on home visit or leave without permission for two years or more, and who has not received a final or regular discharge, shall be considered as statistically discharged. For any such trainee to return to the institution for further care and treatment it will be necessary to submit a new application for admission as provided by law, just as though the trainee had not previously been in the institution.

Interstate Compact Transfers Of Patients Or Trainees

The South Carolina Mental Health Commission adopts the following regulation:

The South Carolina State Hospital and Pineland, A State Training School and Hospital, may, for patients or trainees received under the provision of the Interstate Compact, accept legally certified copies of the admission documents by which the patient or trainee was detained in the other state facility in lieu of the regular admission documents required for initial admissions to South Carolina mental health facilities.

THE PUBLIC SERVICE COMMISSION

Promulgated under authority of Section 24-112 and 58-111 of the
1962 Code

(Filed in the office of the Secretary of State January 10, 1964)

Operation of Electric Utilities

ORDER NO. E-902, DOCKET NO. 12,335

On May 26, 1949, this Commission issued Order No. E-628 in Docket No. 6,490 adopting "Rules and Regulations Governing the Operation of Electric Utilities in South Carolina", which Rules were filed with the Secretary of State on June 7, 1949, and are printed on pages 421 through 432 of the 1962 Code.

The Fifth Edition of the National Electric Safety Code, on which Rule 14, of the Rules and Regulations was based, has been superseded by the Sixth Edition, issued November 1, 1961. In the interest of uniformity in the construction and operation of electric supply and communication lines the Commission is of the opinion, and so finds, that the adoption of the Sixth Edition of the National Electric Safety Code is in the public interest, and,

Therefore it is ordered that this Commission's "Rules and Regulations Governing the Operation of Electric Utilities in South Carolina" shall provide that all electric light and power transmission and distribution lines and all telephone, telegraph and signal lines that may hereafter be constructed shall meet or shall exceed the requirements of the Sixth Edition of the National Electric Safety Code as published by the National Bureau of Standards in its Handbook 81. Those interested should refer to the copy filed in the office of the Secretary of State. Additional copies of this Code may be secured from the Superintendent of Documents, Government Printing Office, Washington, D. C.

SECURITIES COMMISSIONER

Promulgated under authority of Section 62-6 of the 1962 Code

(Filed in the office of the Secretary of State November 1, 1963)

The following Rules have been adopted by the South Carolina Securities Commissioner as being necessary to carry out the provisions of Title 62, S. C. Code 1962, and as being in the public interest and for the protection of investors.

Rule 1E

Rule 1E is amended to include the following:

(Amendment to Rule 1E)—The examination fee shall be \$10.00 for each applicant for each examination.

Pursuant to Secs. 62-6, 62-15, S. C. Code 1962.

Rule IF**Deposits in Lieu of Bond**

A deposit of cash or securities in lieu of surety bond required under Section 62-111, S. C. Code 1962, shall be considered appropriate within the intent and meaning of such section and shall be accepted by the Securities Commissioner under the following terms and conditions:

1. With respect to a deposit of securities, that the securities be general obligations of, and be guaranteed both as to principal and interest by, the United States, any state or any political subdivision of a state, provided that such obligation be rated A or better by Standard & Poor's Corporation Records or Moody's Investment Service, and provided further that the securities on the day of deposit have a net realizable market value of at least 125% of the penal sum of the bond required of the depositor.

2. With respect to a deposit of cash, that the amount of the cash be at least equal to the penal sum of the bond required of the depositor.

3. That as a condition of any renewal of registration by means of an in lieu deposit, cash so deposited be at least equal to the penal sum of the bond required of the depositor upon the renewal date and the net realizable market value of securities so deposited be at least 125% of such sum on said renewal date.

4. That the cash or securities herein deposited in lieu of bond shall remain on deposit with the Securities Commissioner for a period of two years following termination of the registration of the depositor.

The above terms and conditions to be applicable immediately to deposits with an initial registration, and on and after January 1, 1964 to deposits with renewal of a registration.

Pursuant to Secs. 62-6, 62-111, S. C. Code 1962.

PART IV**Miscellaneous Fees****Rule IVA****Examination Fee to Accompany Filing of Prospectus, Offering Circular or Post-Effective Amendment**

(1) An examination fee of \$25.00 shall accompany the filing of any definitive Prospectus or Offering Circular of Post-Effective Amendment thereto in connection with an application to register securities or for the purpose of maintaining registration of securities; provided however that the filing fee paid with an application to register securities shall be deemed to include the examination fee for the first Prospectus or Offering Circular approved under such registration.

(2) An examination fee of \$25.00 shall accompany a request for a review by the Securities Commissioner of any preliminary or definitive Prospectus or Offering Circular other than those in (1) above or those filed with a request for confirmation of an exemption or an exception.

Rule IVB**Fees to Accompany a Request for Confirmation of an Exemption
or Exception**

(1) A fee of \$25.00 shall accompany the filing of a request for confirmation of an exemption under Sec. 62-52(9) of the Code of Laws of South Carolina, 1962, commonly known as the "limited offering" exemption.

(2) A fee of \$5.00 shall accompany the filing of a request for confirmation of an exemption under Secs. 62-51 or 62-52 (other than Sec. 62-52(9)) or of an exception under Sec. 62-2 of the Code of Laws of South Carolina, 1962.

Pursuant to Secs. 62-6, 62-15, S. C. Code 1962.

The effective date of these regulations shall be December 1, 1963.

The Securities Commissioner has become increasingly concerned over proposals to register and offer to the public issues of debt securities lacking at times the most elementary provisions necessary for the protection of the investing public and for the prevention of the possibility of fraud being worked upon the purchasers, as contemplated under Sec. 62-171(b)(v), S. C. Code 1962. In addition, the Securities Commissioner has found that the proposed form of the security, and the terminology used therein, have at times been such as might well confuse the purchaser and create the impression that he is making a demand deposit instead of purchasing a debt security. The Securities Commissioner has concluded that applicants for registration of securities would be aided, and applications materially expedited, through an interpretation of the Commissioner's position as to minimum provisions required in a debt security defining the rights and position of the security holder, and the form of security and the terminology employed therein acceptable to the Commissioner. Accordingly, the following Rule, to be known as Rule IIG (Form and Minimum Provisions for Debt Securities) has been adopted as being necessary in the public interest and for the protection of investors.

(Filed in the office of the Secretary of State February 5, 1964)

Rule IIG**Form and Minimum Provisions for Debt Securities**

(1) Provisions or terms of an issue of debt securities shall be considered inadequate for the protection of the security holders, and shall be considered grounds for denial of an application for registration under Sec. 62-171(b)(v), S. C. Code 1962, which do not as a minimum adequately define the following, either in the security itself or in a trust indenture:

(a) Maturity date, being the date upon which the principal shall become due and payable. Demand securities, with no maturity date, will not be accepted.

(b) Interest rate and interest payment dates. Interest may not be allowed to accumulate to draw additional interest.

(c) Assets securing the issue and the lien thereon, or if none, a statement to that effect.

(d) Conversion feature, if any, including protection of such feature from dilution.

(e) Position of the issue in the debt structure of the company, both present and future.

(f) Events of default, including provision that default in payment either of principal or interest on any one security of an issue shall constitute a default on the entire issue.

(g) Rights of the security holders in default, including right to a list of names and addresses of all holders of an issue of registered securities in default, if there is no trustee to act for all holders, and the right of the holders of 25% in principal amount of the issue outstanding to declare the entire issue due and payable.

(h) Duties of the trustee, if any.

(i) Call features, if any.

(j) Denominations in which issued.

(2) The security should be in such form, and bear such descriptive nomenclature, as is customary and recognized in the field of securities.

Pursuant to Secs. 62-6, 62-171(b)(v), S. C. Code 1962.

The effective date of this rule shall be February 6, 1964.

TAX COMMISSION

Sales and Use Tax

Promulgated under authority of Section 65-1443 of the 1962 Code

(Filed in the office of the Secretary of State August 20, 1963)

Regulation No. 38

The Sale of Motor Vehicles for Immediate Transportation Outside of South Carolina

The seller of a motor vehicle to exempt the sale thereof to a nonresident must file with the South Carolina Tax Commission an affidavit, which affidavit must contain the necessary information as set forth and required in the South Carolina Tax Commission Regulation Number 37, recorded with the Secretary of State of May 29, 1963.

The South Carolina Tax Commission, in order to satisfy the requirement of this Act and to establish a uniform procedure for the filing of the affidavit, hereby requires that it be attached to the sales and use tax return of the seller for the period in which the sale is made. The affidavit shall be considered timely filed when the sales and use tax return to which it is attached is filed within the period provided by statute, that being on or before the 20th day of the month next succeeding the period covered by the return. The gross sales of motor vehicles so exempt must be indicated separately on the reverse side of the sales and use tax return and substantiated with attached affidavits of purchasers.

This Regulation shall become effective on August 20, 1963.

License Tax
Regulation No. 13
Tobacco Products

Promulgated under authority of Section 65-651 of the 1962 Code
(Filed in the office of the Secretary of State November 20, 1963)

In addition to the requirements imposed by the provisions of Title 65, Chapter 11 of the 1962 Code, relating to the stamping of certain tobacco products the following regulation is imposed with respect to the stamping of cigars, stogies and cheroots. All boxes, cans or containers in which or from which any cigars, stogies or cheroots are normally sold at retail shall have the South Carolina business license stamp affixed across the top and side of any such box, can or container in such fashion so that the stamp will be broken when such box, can or container is opened. Approximately one-half of said stamp should be affixed to the top and the other one-half to the side of such box, can or container.

Effective January 2, 1964.

Regulation No. 14
Coin-Operated Machines

Promulgated under authority of Section 5-677 of the 1962 Code
(Filed in the office of the Secretary of State April 21, 1964)

Section 5-660 of the 1962 Code of Laws for South Carolina, as amended, provides for the license fees of certain coin-operated devices. A fee of seventy-five Dollars is provided for any machine described in item three which reads as follows:

“(3) Any machine for the playing of games or amusements, **which has a free play feature**, operated by a slot wherein is deposited any coin or thing of value”.

The words “which has a free play feature” shall mean and include any machine which is designed and made with such feature by the manufacturer of such machine and shall also include any payout type machine or device. Any license heretofore issued shall continue to be valid until its expiration date.

This Regulation shall be effective for all licenses issued on and after May 1, 1964.

Regulation No. 14, As Amended

(Filed in the office of the Secretary of State May 19, 1964)

License Tax Regulation No. 14, with reference to coin-operated machines, adopted by the South Carolina Tax Commission on the 21st day of April, 1964, and filed in the office of the Secretary of State on the 21st day of April, 1964 is hereby amended so that the regulation when amended shall read as follows:

Section 5-660, of the 1962 Code of Laws for South Carolina, as amended, provides for the license fees of certain coin-operated devices.

A fee of seventy-five dollars is provided for any machine described in item (3), which reads as follows:

"(3) Any machine for the playing of games or amusements **which has a free-play feature** operated by a slot wherein is deposited any coin or thing of value"

The words "which has a free-play feature" shall mean and include any machine which is designed and made with such feature by the manufacturer of such machine and shall also include any pay-out type machine or device, provided, however, that where the mechanism constituting a free-play feature has been completely and wholly removed from the machine, and a certificate to that effect is filed at the time of application for license, the machine shall be licensed as provided by item (1) of Section 5-660, of the 1962 Code. Any license heretofore issued shall continue to be valid until its expiration date.

This Regulation shall be effective for all licenses issued on and after May 1, 1964.

Income Tax

Promulgated under authority of Section 65-207 of the 1962 Code

Regulation No. 7

Filing of Withholding Statements With Income Tax Returns

(Filed in the office of the Secretary of State February 19, 1964)

The copy of the withholding statement furnished to the employee by the employer, as required under Section 65-393, of the South Carolina Code of Laws for 1962, designated for attachment to the employee's income tax return, must be attached to the income tax return of the employee. Failure to comply may result in the non-issuance of a refund.

Effective the 19th day of February, 1964.

Regulation No. 6, As Amended

Depreciation Schedules and the Amount of Depreciation

(Filed in the office of the Secretary of State May 27, 1964)

Regulation No. 6 of the South Carolina Tax Commission adopted on the 5th day of December, 1962, and filed in the office of the Secretary of State on the 18th day of December, 1962 is hereby amended by striking out and deleting all of the aforesaid Regulation and substituting in lieu thereof the following, which shall be Regulation No. 6:

The investment tax credit with respect to qualified investment in certain depreciable property under Section 38 of the Internal Revenue Code of 1962, amended in 1964 and permitted on Federal Tax Returns, will not be allowed as a deduction on South Carolina Tax Returns.

For South Carolina Income Tax purposes restoration adjustments made to the basis of Section 38 Property, in light of the 1964 Federal Revenue Code amendments, must be treated as income in the year of such adjustments, provided, that the tax on such income shall be limited to the extent that a tax benefit was obtained in a prior year, including carryforward

losses under 65-259(12) of the 1962 Code. The date of any restoration adjustments will be the same date as provided by the Federal Revenue amendment of 1964.

The original asset cost must be shown on the Depreciation Schedule and such original cost must be used in the property factor for apportionment purposes of allocation of income.

Effective for taxable years commencing on and after January 1, 1964.

Administrative Regulation

Promulgated under authority of Section 65-63 of the 1962 Code
(Filed in the office of the Secretary of State April 21, 1964)

Regulation No. 2

Retention of Books and Records and the Use of Microfilm Reproduction of Books and Records for Purposes of Taxes Administered by South Carolina Tax Commission

For purposes of the administration of taxes and licenses imposed under the provisions of Title 65, Chapters 5 to 17 inclusive of the 1962 Code, and for purposes of the assessment of property taxes as contemplated by Title 65, Chapter 18, every person liable for taxation under the above enumerated Chapters of Title 65 is required to keep such original books of account or records, including inventories, as are sufficient to establish the amount of gross income, the deductions, and such other matters as are required to be shown in any return under the above enumerated Chapters.

Such books or records are required to be kept at all times available for inspection by agents or auditors of the South Carolina Tax Commission, and shall be retained so long as the contents thereof may become material in the administration of any tax imposed or any amount assessable under the provisions of the above enumerated Chapters.

No objection will be interposed to the retention by taxpayers of only microfilm reproductions of supporting records of details such as payroll records, cancelled checks, invoice vouchers, and the like, after three years from the date the return or report involved is required to be filed or is actually filed, whichever is the later date, provided the following conditions are met:

1. The taxpayer will retain microfilm copies so long as the contents thereof may become material in the administration of any law under the above enumerated Chapters;
2. The taxpayer will provide appropriate facilities for preservation of the films and for the ready inspection and location of the particular records, including a projector for viewing the records, in the event inspection is necessary; and
3. The taxpayer will be ready to make any transcripts of the information contained on the microfilm which may be required.

Effective the 21st day of April, 1964.

WATER POLLUTION CONTROL AUTHORITY

Promulgated under authority of Sections 70-101 through 70-139
of the 1962 Code

Stream Classifications

(Filed in the office of the Secretary of State September 27, 1963)

(The public hearing as required by law prior to the classification and/or reclassification of streams was held in Williamston, South Carolina, August 7, 1963.)

This action is based on the following finding of fact made by the Authority after consideration of the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Williamston, South Carolina, August 7, 1963:

1. That Big Creek and tributaries in Anderson County are presently unclassified.
2. That the Town of Williamston is presently using a portion of this stream as a source of raw water, this requiring a Class B classification, and that downstream portions are used for waste disposal.
3. The Soil Conservation Service proposes the construction of lakes for water supply, recreation, and flood control, as set forth in a report by the Soil Conservation Service.
4. That there was no opposition to the classification of Big Creek voiced at this hearing.
5. That based on these facts, we therefor find the proper classification of Big Creek and tributaries in Anderson County to be:
 - (a) Big Creek and tributaries from its headwaters downstream to its crossing with S. C. Highway No. 20 (in Williamston) Class B.
 - (b) The remainder of the Stream, Class C. (Big Creek joins the Saluda River in Anderson County.)

(Filed in the office of the Secretary of State November 26, 1963)

(The public hearing as required by law prior to the classification and/or reclassification of streams was held in Greenwood, South Carolina, September 18, 1963.)

This action is based on the following finding of fact made by the Authority after consideration of the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Greenwood, South Carolina, September 18, 1963:

1. That the Authority finds it a fact that the best uses of the waters of Lake Greenwood are for recreational activities, a source of water supply, and hydroelectric power, and
2. That it is a matter of common knowledge that Lake Greenwood is widely used for swimming, boating, skiing, and fishing, an "A" classification is necessary to properly protect the waters for such purposes, and

3. **That** the Authority has determined that conditions prevailing in the lake are such that certain standards are contravened at the present time, and
4. **That** it is desired that remedial measures be taken and a classification adopted which will be conducive to such uses;
5. **That** based on these facts, we therefore find the proper classification of Lake Greenwood to be Class A, effective January 1, 1966.
(This supersedes the classification applied to Lake Greenwood, as a part of the Saluda River (Main Stem) adopted by the Authority, September 22, 1955, and filed with the Secretary of State October 14, 1955.)

(Filed in the office of the Secretary of State January 24, 1964)

(The public hearing as required by law prior to the classification and/or reclassification of streams was held in Anderson, South Carolina, December 11, 1963.)

This action is based on the following finding of fact made by the Authority after consideration of the transcript of the public hearing held by the South Carolina Water Pollution Control Authority in Anderson, South Carolina, December 11, 1963:

1. **That** Wilson Creek and tributaries are presently unclassified.
2. **That** Wilson Creek and tributaries at the present time meet the standards for Class C waters.
3. Residents in the vicinity have requested that Wilson Creek and tributaries be maintained at a C Level for general agricultural uses.
4. **That** there was no opposition to the classification of Wilson Creek and tributaries voiced at this hearing.
5. **That** based on these facts, we therefore find the proper classification of Wilson Creek and tributaries in Anderson County downstream to its junction with Rocky River in Abbeville County to be Class C.

(Filed in the office of the Secretary of State January 24, 1964)

(The public hearing as required by law prior to the classification and/or reclassification of streams was held in Gaffney, South Carolina, December 19, 1963.)

This action is based on the following finding of fact made by the Authority after consideration of the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Gaffney, South Carolina, December 19, 1963:

1. **That** Providence Creek and tributaries in Cherokee County from its crossing with County Road 793 downstream to its junction with Cherokee Creek are presently classified at Level C;
2. **That** the City of Gaffney proposes to use this portion of Providence Creek as an auxiliary water supply.
3. **That** Providence Creek generally meets Class B standards at the proposed point of use, and conditions are improving.

4. That there was no opposition to the reclassification of this stream at Level B voiced at the public hearing.
5. That based on these facts, we therefore find the proper classification of Providence Creek and tributaries in Cherokee County from its crossing with County Road 793 downstream to its junction with Cherokee Creek to be Class B.
(This supersedes the classification applied to Providence Creek and tributaries adopted by the Authority, February 19, 1953, and filed with the Secretary of State, February 24, 1953.)

(Filed in the office of the Secretary of State March 20, 1964)

(The public hearing as required by law prior to the classification and/or reclassification of streams was held in Gaffney, South Carolina; February 29, 1964.)

This action is based on the following finding of fact made by the Authority after consideration of the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Gaffney, South Carolina, February 29, 1964:

1. That Buffalo Creek and tributaries in Cherokee County from the bridge on I-85 downstream to its junction with Broad River is presently classified at Level C;
2. That the engineering representatives of Pacolet Industries, Inc., have requested that this portion of Buffalo Creek be reclassified at a level satisfactory to serve as a raw water supply for its potable and industrial water supply;
3. That this portion of Buffalo Creek can presently meet the standards required for Class B waters;
4. That the economic considerations weigh heavily in favor of a higher classification for this stream;
5. That based on these facts we therefore find the proper classification of Buffalo Creek and tributaries in Cherokee County from the bridge on I-85 downstream to its junction with Broad River to be Class B.
(This supersedes the classification applied to this portion of Buffalo Creek and tributaries in Cherokee County adopted by the Authority, February 19, 1953, and filed with the Secretary of State, February 24, 1953.)

WILDLIFE RESOURCES COMMISSION

Division of Boating

Promulgated under authority of Section 70-295.2 of the 1962 Code

(Filed in the office of the Secretary of State February 19, 1964)

Displaying of the Identification Number on Boats

Section 70-295.26 of the 1962 South Carolina Code of Laws provides how the identification number is to be displayed on a boat.

1. It is permissible to use a bracket or fixture to display the identification number on a boat, to be firmly attached to the forward half of the vessel,

when the placement of the identification number on the hull or permanent superstructure is impossible because of the craft's unconventional configuration.

2. Except as modified or changed hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

NOTE: This Rule and Regulation is similar to the Federal Rule as found in U. S. Code, Title 46, Part 171, as stated in 28 Federal Register No. 122, p. 1.

Restriction of Watercraft in Certain Areas

1. The use of watercraft will be restricted in certain areas of the waters of the State of South Carolina when the Director determines that such restriction is necessary in the interest of public safety.

2. The regulated areas shall be identified by appropriate signs and markers.

3. Such signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the advisory panel of State officials to the Merchant Marine Council, United States Coast Guard, in October 1961.

4. No city, county, agency or person shall attempt to regulate the waters of this State by the use of the above mentioned signs and markers.

5. Except as modified or changed hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

NOTE: Recommended by the Committee on Uniform Markers of the Council of State Governments.

Division of Game

Number of Baskets Allowed Per Fisherman On Hartwell Reservoir

Promulgated under authority of Section 28-1295(2) of the 1962 Code

(Filed in the office of the Secretary of State February 26, 1964)

1. No person may fish more than two baskets in the waters of Hartwell Reservoir.

2. No person shall fish the baskets of other persons unless accompanied by such persons at the time of such fishing.

3. Except as modified or changed hereby, all prevailing laws, rules and regulations concerning fishing in Hartwell Reservoir shall remain in full force and effect.

"Jug fishing" in Clark Hill Reservoir

Promulgated under authority of Section 28-1256 of the 1962 Code

(Filed in the office of the Secretary of State February 26, 1964)

1. The use of free floating jars, cans, jugs or similar type floats with attached line and hook is permissible in the waters of Clark's Hill Reservoir.

2. No more than fifty such devices to be allowed per fisherman.
3. Each jar, can, jug or similar device so used will be legibly marked with the name and address of the owner.
4. Except as modified or changed hereby, all prevailing laws and regulations concerning fishing in Clark's Hill Reservoir shall remain in full force and effect.

(Filed in the office of the Secretary of State March 3, 1964)

1. Only dough balls or cut bait may be used for bait while jug fishing.
2. Only non-game fish may be taken while jug fishing.
3. Tackle normally used in sport fishing can not be carried in the boat while jug fishing.
4. No game fish may be in possession while jug fishing.
5. Except as modified or changed hereby, all prevailing laws and regulations concerning fishing in Clark Hill Reservoir shall remain in full force and effect.

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